

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 21 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS ENTITLED “PROPERTY MAINTENANCE” AS IT PERTAINS TO DEAD TREES

WHEREAS it is the desire of the Mayor and Commissioners of the Borough of Harvey Cedars to promote and regulate matters that benefit the health, safety and welfare of the community; and

WHEREAS the intent of this Ordinance is to regulate and govern the maintenance of dead trees when such trees may cause a hazard to life and or property such as through wind damage.

THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Harvey Cedars as follows:

Section 1. Section 21-7 entitled “Exterior Property Areas” is hereby amended by supplementing Section 21-7.8 entitled “Trees” as follows:

21-7.8 Trees. Properties shall be maintained free from dead trees when such trees constitute a hazard and may create a potential threat to persons or property within the Borough.

Upon failure of the owner or agent having charge of a property to remove such tree or trees after service of a notice of violation, they shall be subject to prosecution in accordance with Section 21-5.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the tree or trees growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 2. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall take effect after final adoption and publication in accordance with law.

ADOPTED ON: May 18, 2020