

AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES CHAPTER 25 TREES, SECTION 5, HAZARDOUS AND NUISANCE TREES ON PUBLIC AND PRIVATE PROPERTY. AND SECTION 10, VIOLATIONS AND PENALTIES

The Board of Supervisors of the Township of Ferguson hereby ordains:

Section 1: Chapter 25 – Trees, Section. 5.00. Hazardous and Nuisance Trees on Public and Private Property is hereby amended by amending and adding the following paragraph:

In any instance of private property trees within the regional growth boundary and trees outside the regional growth boundary in zoning districts R1 and RR being infected with oak wilt, and upon the recommendation of the Township Arborist, the Public Works Director determines that immediate abatement measures are required in the best interest of the public to stop the spread of the disease, the Board of Supervisors authorizes the Public Works Director to take immediate action to abate the oak wilt disease within the annual township budget, or other amount as later determined by the Board of Supervisors, at no cost to the private property owner, subject to agreement between the Township and the private property owner.

Section 2: Chapter 25-Trees, Section 10. Violations and Penalties is hereby amended by adding the following paragraphs:

(D) Unlawful to prune oak trees during certain times of the year. To prevent the spread of oak wilt, within the regional growth boundary, it shall be unlawful for any person, resident, contractor, utility company, to prune, or allow to be pruned, any private or public oak trees from April 1st to October 31st, without first obtaining a tree permit from the Township Arborist which may be issued to address emergency conditions. Any person who violates the provisions of this section shall upon conviction thereof be guilty of a summary offense and be subject to a fine of not less than \$500 nor more than \$5,000.

(E) Unlawful to climb oak trees with boot spurs or spikes. To prevent the spread of oak wilt, within the regional growth boundary, it shall be unlawful for any person, resident, contractor, utility company, to climb, or allow to be climbed, any private or public oak trees at any time with boot spikes or spurs, except to remove the tree in its entirety. Any person who violates the provisions of this section shall upon conviction thereof be guilty of a summary offense and be subject to a fine of not less than \$500 nor more than \$5,000.

ORDAINED and ENACTED this 17th day of October, 2016.

**FERGUSON TOWNSHIP
BOARD OF SUPERVISORS**

Steve Miller, Chairman

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ATTEST:

Mark A. Kunkle, Secretary