

Legislation Text

File #: 240371, Version: 1

Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “PM” (The Philadelphia Property Maintenance Code), to add restrictions and remedies regarding encroaching trees, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 4 of The Philadelphia Code is hereby amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

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SECTION PM-302 EXTERIOR PROPERTY AREAS

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PM-302.10 Encroaching Trees. No person shall allow any tree on his or her property to overhang or rest on the property of another person if the tree (i) is dead, weakened or decayed such that a significant portion of the tree could reasonably be expected to fall or come to rest on the property of another person or (ii) otherwise encroaches in a manner that harms or is likely to harm the other’s property.

CLIP may serve notice of violation with sixty (60) days to cure the violation. Upon failure of the tree owner to abate the encroachment after service of a notice of violation, CLIP shall be authorized, itself or by contract, to prune or remove the encroaching tree to the extent necessary to cure the violation and the owner of the tree shall be liable for the costs of such work.

This provision shall not apply to any Street Tree consistent with the provisions of Section 15-203 of The Philadelphia Code.

SECTION 2. This Ordinance shall be effective immediately.