



Senate Box 203078  
Harrisburg, PA 17120-3078  
(717) 787-7680  
Fax (717) 772-4524  
www.lgc.state.pa.us

**LOCAL GOVERNMENT  
COMMISSION**  
*Created in 1935*

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**House Bill 905, Printer's Number 1102**

**Amending the Borough Code –  
Further regulating shade trees**

**PROPOSAL/SUMMARY:** This legislation would amend the Borough Code (Title 8 of the Pennsylvania Consolidated Statutes, Part I) to authorize borough council to consider environmental concerns, long-term and short-term effects on public and private property and the effect on pedestrian and traffic safety (shade tree factors) prior to the adoption of an ordinance requiring to the planting, removing or maintenance of shade trees. If council or the shade commission undertakes work relating to shade trees, the shade tree factors must be addressed prior to beginning the work.

If council creates a shade tree commission, the commission is required to present information to council related to the shade tree factors before the approval and enactment of any commission regulation.

Any ordinance, rule or regulation enacted may establish or reference an inventory of existing shade trees in the borough and a list of shade trees suitable for planting or transplanting.

**CURRENT LAW:** Borough council has exclusive care, custody and control of shade trees in the borough. Council is authorized, by ordinance, to establish a shade tree commission to oversee and carry out these duties. The Code does not require council or the shade tree commission to consider specific factors when adopting rules, regulations and ordinances as regards environmental concerns, property effects, and pedestrian and traffic safety.