

William Webb

From: William Webb
Sent: Wednesday, December 7, 2022 2:43 PM
To: Garrity, Michele:(PECO)
Subject: PECO Project
Attachments: Excavations Ordinance.pdf; Tree Ordinance.pdf

Good afternoon Michele,

I hope this email finds you well. In the course of responding to resident's questions regarding PECO's proposed installation of replacement utility poles and lines and the removal of approximately [125] trees related thereto, the Borough has reviewed its ordinances, consulted with its Solicitor, and concluded that PECO's activity will require compliance with two (2) ordinances in effect in the Borough:

- 1. Chapter 266 – Tree Committee. This Ordinance states that “No person shall plant, transplant, injure, trim, spray or remove any tree or shrub located within the right-of-way lines of streets without prior written authorization of the Tree Committee or its duly designated agent, the Borough Manager.” This Ordinance further requires that any person removing a street tree shall replace it.*
- 2. Chapter 1026 – Excavations. This Ordinance states that “It shall be unlawful for any person to open, break or to make any excavation of any kind in any street in the Borough by digging or otherwise or to dig a tunnel under the surface of any street without first securing a permit therefor as hereinafter provided. “Street” is defined as “any public street, avenue, road, lane, court, cul-de-sac, square, alley, highway or other public place located in the Borough and either for or intended for public use, and shall include the cartway, sidewalk, gutter, **and/or right-of-way area**, whether or not such street or any part thereof is owned in fee by others than the Borough.”*

The Borough will therefore require PECO to submit a detailed list of street trees to be removed (and replaced) under the Tree Committee Ordinance, and will require an application for an excavation permit detailing the specifications for proposed excavations to occur in public rights-of-way.

Copies of these Ordinances are attached for your convenience. Please let me know if you need any application forms or if you need any additional information.

William Webb
Borough Manager
Swarthmore Borough
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Swarthmore, PA 19081
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