

**TOWNSHIP OF WEST BRADFORD  
ORDINANCE 11-01**

*AN ORDINANCE TO PROHIBIT THE GROWTH OF BAMBOO SO TO CAUSE A DANGEROUS CONDITION TO THE USE OF PUBLIC HIGHWAYS OR TO IMPAIR THE USE OR MAINTENANCE OF A PUBLIC ROAD IN WEST BRADFORD TOWNSHIP*

**WHEREAS**, Bamboo (Bambusa, Phyllostachys and Pseudosasa species) has been planted next to public roadways in West Bradford Township, and;

**WHEREAS**, non-native species of Bamboo are invasive and grow to 40 feet in height, and;

**WHEREAS**, during wind, rain and/or snow storm events the bamboo stalks bend and block portions of public roads and cause a hazard to highway traffic and impair the use and maintenance of the public roads.

**NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED** by the Board of Supervisors of West Bradford Township;

**Section 1.** This Ordinance shall be known as an Ordinance to prohibit bamboo along a public highway.

**Section 2.** This Ordinance shall regulate the growing of Bamboo species including, but not limited to Bambusa, Phyllostachys, and Pseudosasa including Common Bamboo, Golden Bamboo, Arrow Bamboo.

**Section 3.** Bamboo shall not be planted, maintained or otherwise be permitted to exist within 40 feet of the edge of the pavement or traveled portion of any public roadway in West Bradford Township.

**Section 4.** Property owner(s) whose property contains Bamboo shall remove and abate the growth of the Bamboo within 40 feet of edge of the pavement or traveled portion of a public road in West Bradford Township.

**Section 5.** Enforcement and Administration. The Township may enforce this ordinance by any or all of the following measures;

- A. Provide written notice to a property owner to remove the bamboo within a certain period of time.
- B. Move or cause the removal of any bamboo that is interfering with the public highway and is growing within the right-of-way of a public road within 40 feet of edge of the pavement or traveled portion of a public road and charge the property owner with the cost of that work.
- C. Issue a non-traffic citation to the property owner(s) for violation of this ordinance.

**Section 6.** A Notice of violation may be issued followed by a citation or a citation may be issued without being preceded by a notice of violation.

- A. Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this Ordinance or any regulation thereof shall be punishable by fine(s) as established in this section. Each day that a violation occurs shall be considered a separate violation.
- B. Upon conviction the fine shall not be less than fifty dollars (\$50) and may be punishable by a fine not to exceed five hundred dollars (\$500) and/or be incarcerated in the County Prison for not more than five days.

**Section 7. Severability Clause**

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

**Section 8. Effective Date**

This Ordinance shall be effective five days following adoption.


ENACTED AND ORDAINED this 10<sup>th</sup> day of May, 2011.


ATTEST:

  
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Thomas Ryan, Secretary

TOWNSHIP OF WEST BRADFORD  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Mark J. Blair, Chairman

  
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John A. Haiko, Vice Chairman

  
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Bruce W. Laverty, Member