

TOWNSHIP OF LOWER MERION

Building and Planning Committee

Issue Briefing

Topic: Amendment to the Bamboo Ordinance

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Date: October 5, 2018

I. Action To Be Considered By The Board:

Discuss a comprehensive re-write of Chapter 59, Brush, Grass and Weeds, as it relates to the planting, growing and maintenance of running bamboo.

II. Why This Issue Requires Board Consideration:

An amendment to the existing Township Code requires the adoption of an ordinance by the Board of Commissioners.

III. Current Policy Or Practice (If Applicable):

The Township currently only regulates the planting of new bamboo and bamboo growing onto Township property and close to a road right-of-way.

IV. Other Relevant Background Information:

Over the years the Township has received numerous complaints from residents regarding the invasiveness of certain types of bamboo. The complaints usually stem from property owners who live adjacent to a property where the owner has planted running bamboo that is growing over the property line. The complainants are then faced with trying to prevent the bamboo from spreading further onto their property which is very difficult to do given the invasive and running nature of the plant.

The Environmental Advisory Council (EAC) has fielded some of these complaints and spoken with residents who were seeking assistance with how to halt the encroaching bamboo. As a result, back in 2016, the EAC drafted an ordinance for the Board of Commissioners consideration. That ordinance attempted to address who is responsible for the removal of bamboo spreading from one property to an adjacent property. The seated Commissioners at the time expressed concern about The Township's ability to determine where the bamboo originated, who the bamboo owner is, and how to determine the responsibility for removal of bamboo after the bamboo has spread onto an adjacent property.

At that time, the Township opted to address bamboo in two steps and in 2016 adopted an ordinance establishing regulations to prohibit the planting of new bamboo in the Township and required bamboo planted close to a street, or bamboo that grows onto a Township owned property to be removed.

Last fall the EAC was asked by the Commissioners to reexamine the bamboo ordinance to address limiting the spread of existing bamboo from one property onto another property in phase two of this program. The EAC's draft ordinance is attached.

V. Impact On Township Finances:

While this amendment will have an impact on Township finances if enforcement action is required; staff has not performed a detailed analysis of those impacts.

VI. Staff Recommendation:

Staff recommends that the Board discuss the draft ordinance and provide feedback to the EAC.