

ORDINANCE NO. A-85

AN ORDINANCE DECLARING WEEDS A NUISANCE; PROVIDING FOR THE CUTTING OF WEEDS; AND PRESCRIBING PENALTIES IN VIOLATION OF ITS PROVISIONS.

Section I

Unlawful Growth of Grass, Weeds and Other Vegetation

No person, firm, partnership, association, corporation, company or organization of any kind owning or having a present interest in or occupying any real estate within Heidelberg Township, York County, Pennsylvania, hereinafter referred to as the "Township", shall permit any grass or weeds or vegetation not edible or planted for some useful or ornamental purpose, to grow or remain on such premises including any portion of the premises occupied by a street or alley, so as to exceed a height of six inches or to throw off any unpleasant or noxious odor or to conceal any debris or to create or to produce pollen. All such vegetation is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants, of the Township.

Section II

Property Owners to Remove, Trim or Cut Grass, Weeds or  
Other Vegetation; Responsibility of Occupants

The owner of any vacant premises or any owner or occupant of an occupied premises, shall be responsible to remove, trim or cut all of such vegetation growing or remaining upon such premises in violation of the provisions of the first section of this Ordinance. Both the owner and the occupant, in the case of premises occupied by other than the owner, shall be jointly responsible for the compliance with this Ordinance.

### Section III

#### Notice to Owners and Occupants of Premises

In addition to the penalties as hereinafter imposed in this Ordinance, the Township Supervisors, or any officer or employee of the Township designated thereby for the purpose, is hereby authorized to give notice, by personal service, or by United States Certified Mail to the owner or the occupant, or either of them, of a violation of the terms and conditions of this Ordinance, directing and requiring such occupant or owner or both of them, to remove, trim, spray, or cut such grass, weeds or vegetation, so as to conform to the requirements of this Ordinance, within five (5) days after issuance of such notice.

### Section IV

#### Violation of Provisions of This Ordinance

If any such owner and/or occupant shall neglect to comply with such notice within the period of time stated herein, the Township shall have the following remedies:

A. To remove, spray, trim or cut such grass, weeds or vegetation and to bill and collect from said individual(s) the reasonable cost thereof so as to comply with the provisions of this Ordinance. This right as herein vested in the Township shall be in addition to penalties prescribed by the provisions of this Ordinance for the conviction of the owner or occupant as aforesaid to comply with the term of this Ordinance.

B. To initiate summary proceedings against any person, firm, partnership, association, corporation, company or organization of any kind who shall violate any of the provisions of this Ordinance, who shall upon conviction thereof by a summary proceeding before a District Magistrate be sentenced to pay a fine of not more than \$300.00, and the costs of prosecution;

each day's continuation of a violation of this Ordinance shall constitute a separate offense. The first day of violation shall commence twenty-four (24) hours after the receipt of the notice of violation as certified by the United States Postal Service.

Section V

Severability

The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance shall have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

Section VI

Effective Date

This Ordinance shall become effective five (5) days from the date enacted.

THIS ORDINANCE is hereby enacted and ordained this 2<sup>ND</sup> day of October, 1985.

Attest:

BOARD OF SUPERVISORS  
OF HEIDELBERG TOWNSHIP



  
Chairman