

ORDINANCE NO. 1-97

AN ORDINANCE OF THE TOWNSHIP OF MOUNT PLEASANT PROHIBITING NOXIOUS VEGETATION AND RESTRICTING HEIGHT OF VEGETATION GENERALLY; PROVIDING FOR ABATEMENT AS A NUISANCE; ESTABLISHING PROCEDURES FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION.

The Township of Mount Pleasant hereby ordains:

Section 1. Vegetative Growth a Nuisance Under Certain Conditions. No person, firm or corporation, owning or occupying any property within the Township of Mount Pleasant shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of eighteen (18) inches; nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. §255.8) or by regulations of the Department of Agriculture be permitted to grow within the Township of Mount Pleasant including:

1. Marijuana
2. Canadian Thistle
3. Multiflora rose
4. Johnson grass
5. Musk Thistle
6. Bull Thistle
7. Jimson Weed
8. Purple Loosestrife
9. Mile-a-minute
10. Kudzu vine
11. Shattercane

Any grass, weeds or other vegetation growing upon any premises in the Township of Mount Pleasant in violation of any of the provisions of this Section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Township of Mount Pleasant.

Section 2. Responsibility for Removing, Cutting or Trimming. The owner of any premises, or the occupant of premises occupied by other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of Section 1.

Section 3. Notice to Remove, Trim or Cut; Municipality May Do Work and Collect Cost and Additional Amount. The Township of

Mount Pleasant, or any officer or employee of the Township of Mount Pleasant designated thereby for this purpose, is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of Section 1 of this ordinance, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this ordinance, within fifteen days after issuance of such notice. Whenever, in the judgment of the Township of Mount Pleasant it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the Township of Mount Pleasant or any officer or employee of the Township of Mount Pleasant designated thereby for that purpose, may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within fifteen days. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Township of Mount Pleasant may order the removal, trimming or cutting of such grass, weeds or vegetation, and the cost thereof, together with a penalty of ten percent (10%) of the cost thereof shall be collected by the Township of Mount Pleasant from such person, firm or corporation, in the manner provided by law.

Section 4. Penalties for Violation. Any person, firm or corporation who shall violate any provision of this ordinance shall be subject to a civil penalty. The police, Code Enforcement Officer, or designee of the Township shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the officer shall impose a civil penalty not exceeding \$600.00 upon the violator. Notice of the penalty assessment shall be served upon the violator either personally or by registered mail. If the amount of the fine is not paid within ten days from the date of the notice of penalty assessment, then civil enforcement proceedings before the District Justice may be commenced by the Township to collect the fine set by the officer plus all court costs, including reasonable attorney fees, incurred by the Township.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

Section 6. Severability. 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 or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Township of Mount Pleasant that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date. This ordinance shall become effective October 28, 1997.

BOARD OF SUPERVISORS OF
MOUNT PLEASANT TOWNSHIP

by: Larry E. Gehhart
by: Edward T. Little
by: Ronald A. Muren

Attest:

Diane L. Groft
Diane L. Groft, Secretary

