

CONESTOGA TOWNSHIP

ORDINANCE # 2007-02

AN ORDINANCE OF THE TOWNSHIP OF CONESTOGA, LANCASTER COUNTY, PENNSYLVANIA, CONCERNING THE GROWTH OF GRASS, WEEDS AND OTHER VEGETATION, REQUIRING TRIMMING AND CUTTING THEREOF UNDER CERTAIN CIRCUMSTANCES, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

In order to promote the health, safety and welfare of the citizens of Conestoga Township, Lancaster County, Pennsylvania, the Board of Supervisors of the Township hereby enacts and ordains the following Ordinance:

- Section 1.** The following words as used in this Ordinance shall have the meanings hereby respectively ascribed thereto:
- a. "Person" – Any natural person, partnership, association, firm or corporation.
 - b. "Weeds" – Any plant identified by the Pennsylvania Department of Conservation and Natural Resources as an invasive or exotic plant which is not edible or not planted for an ornamental or agricultural purpose.
 - c. "Premises" – Any real estate in Conestoga Township which is not being utilized for agricultural activities or for the production of crops, livestock or for other horticultural purposes
- Section 2.** Every person, owning or occupying any premises, upon which any grass or weeds in excess of six (6) inches in height shall grow, shall cut or remove such grass or weeds, or cause the same to be cut or removed, on or before May 1, August 1 and October 1 of each and every year; PROVIDED, HOWEVER, grass or grain shall be permitted to grow in excess of six (6) inches for purposes of cutting and harvesting the same for hay or other agricultural purposes. The owner of the premises, in case of vacant premises or premises occupied by the owner thereof, and the occupant of premises, in the case of premises occupied by persons other than the owner thereof, shall comply with the requirements of this Section.
- Section 3.** Permitting grass or weeds to grow in excess of the limits established in Section 2 hereof is hereby declared to be unlawful and a nuisance and detrimental to the health, safety, welfare, cleanliness and comfort of the inhabitants of the Township, and the same is prohibited.
- Section 4.** Any township official, upon direction from the Board of Supervisors, shall give written notice by personal service or U.S. certified mail, return receipt requested, to the owner or occupant of any premises whereon grass or weeds growing or remaining in violation of the provisions of Section 2 of this Ordinance, directing and requiring such owner or occupant, as the case may be, to cut or remove all such grass or weeds so as to conform to the requirements of this Ordinance within seven (7) days after giving of such notice.

- Section 5.** In case any person shall neglect, fail or refuse to comply with such Notice provided in Section 4 within the period of time stated therein, the Board of Supervisors are hereby authorized to cause such grass, weeds or vegetation to be removed, trimmed or cut, and there is hereby imposed a charge, in an amount as established from time to time by resolution of the Township Supervisors, plus the actual cost of labor involved for each time the Supervisors shall cause such grass, weeds or vegetation to be removed, trimmed or cut. The owner or occupant, as the case may be, of the premises shall be billed after the work has been completed.
- Section 6.** Should any bill for the removal, trimming or cutting of any grass, weeds or vegetation be unpaid on or before November 1 of each year, a penalty of ten percent (10%) shall be added to such bill, and the amount thereof may be recovered from the owner or occupant, as the case may be, in a civil action at law or entered as a lien against such property in accordance with the existing provisions of law.
- Section 7.** Nothing contained herein shall prohibit the Township from instituting proceedings in courts of equity.
- Section 8.** Any person who shall violate or fail, neglect or refuse to comply with any of the provisions of this Ordinance shall, upon conviction thereof, in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not more than One Thousand and 00/100 (\$1,000.00) Dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Ordinance continues shall constitute a separation offense.
- Section 9.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.
- Section 10.** This Ordinance shall become effective five (5) days after its enactment.

ORDAINED and ENACTED this _____ day of _____, 2007, at an advertised meeting of the Board of Supervisors of Conestoga Township.

BOARD OF SUPERVISORS OF
CONESTOGA TOWNSHIP

By: _____
(Chairman)

ATTEST:

(Secretary-Treasurer)