

Chapter 39

BRUSH, GRASS AND WEEDS

- | | |
|--|--|
| <p>§ 39-1. Height of vegetation restricted; violation declared a nuisance.</p> <p>§ 39-2. Responsibility of owner or occupant.</p> | <p>§ 39-3. Notice of violation; failure to comply; Township to do work.</p> <p>§ 39-4. Violations and penalties.</p> |
|--|--|

[HISTORY: Adopted by the Board of Supervisors of the Township of East Franklin 4-5-1990 by Ord. No. 2-1990. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 73.

§ 39-1. Height of vegetation restricted; violation declared a nuisance.

No person, association, firm, corporation or other entity owning or occupying any real estate in a residential area in the Township of East Franklin shall permit any grass, 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 six inches or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or produce pollen. Any grass, weeds, or other vegetation growing upon such premises in violation of any provision 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 East Franklin.

§ 39-2. Responsibility of owner or occupant.

The owner of any such premises, as to vacant premises or premises occupied by the owner, and in case of multiple-unit properties having more than one rental unit, and the occupant, in case of single-unit premises occupied or rented by other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of § 39-1 of this chapter.

§ 39-3. Notice of violation; failure to comply; Township to do work.

The Board of Supervisors of the Township of East Franklin, 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 mail, to the owner or the 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 § 39-1 of this chapter, directing and requiring such owner or occupant to remove, trim or cut such grass, weeds, or other vegetation, so as to conform to the requirements of this chapter within five days after issuance of such notice. In case any person, association, firm, corporation, or other entity shall neglect, fail or refuse to comply with such

notice within the period of time stated therein, the Township of East Franklin authorities may remove, trim or cut such grass, weeds or other vegetation, and the cost thereof, with an additional amount of 10%, may be collected by the Township of East Franklin from such person, association, firm, corporation or other entity, in the manner provided by law.

§ 39-4. Violations and penalties.

- A. Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.¹
- B. Such fine and cost may be imposed in addition to the cost of removal, trimming or cutting, imposed as provided in § 39-3 of this chapter, but, on the other hand, prosecution may be instituted and proceeded with under this section without the Township of East Franklin's taking any action under § 39-3 for such removal, trimming and/or a cutting.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).