

HARRIS TOWNSHIP

WEED AND GRASS REMOVAL ORDINANCE

The Board of Supervisors of Harris Township finds that the failure to cut and mow grass and weeds in residential, commercial, and industrial areas of the Township creates a nuisance and is harmful to the health and well-being of the residents, and is contrary to the general welfare of the residents. Specifically, the failure to mow the grass and cut weeds in said areas:

- (1) Creates a nuisance in that weeds are permitted to go to seed and spread onto the lawns of neighbors;
- (2) Creates a health hazard in that overgrown lawns and weeds contribute to the amount and spread of pollen, affecting those who suffer from allergies;
- (3) Affects property values and appearances in non-agricultural areas;
- (4) Creates danger of crime where unkempt lawns may give rise to an assumption that the premises are unoccupied;
- (5) Creates danger where tall grass and weeds near residences may hide garbage and debris which attracts rodents; and
- (6) Affects the public welfare by reflecting negatively on our citizens and Township.

RESTRICTIONS:

No person, firm, partnership, or corporation owning or having a present interest in (including renting) or occupying any real estate having one or more primary uses which are residential, commercial, or industrial in nature will permit any grass or weeds or vegetation whatsoever, not edible nor 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 twelve (12) inches, or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or to produce pollen. All such vegetation is declared to be a nuisance and detrimental to the health, safety, cleanliness, and comfort of the inhabitants of the Township.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)

EXCEPTIONS:

This Ordinance will not be enforced with respect to weeds, grass, or similar vegetation as defined when they are located in the following areas:

- (a) In any zoning district on properties where legal agricultural uses, whether as permitted primary uses or as substantiated and registered nonconforming uses, are performed;
- (b) More than 100 feet from land owned by any other person;
- (c) In forested lands.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)

RESPONSIBILITY:

The owner and the occupant of any such premises, in case of premises occupied by other than the owner, will have the duty to remove, trim, or cut all vegetation growing or remaining upon the premises in violation of the provisions of this Ordinance.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted , 1998.)

NOTICE TO OWNER AND/OR OCCUPANT TO COMPLY:

Whenever it is reported or observed by the Ordinance Enforcement Officer that any owner or occupant of property has failed to comply with any of the terms of this Ordinance, the Ordinance Enforcement Officer will cause a written notice to be served upon the owner or occupant or both directing the owner and/or occupant to comply with all terms of this Ordinance within five (5) days.

Such notice may be mailed by United States mail, first class, postage pre-paid; by certified or registered mail; by personal service; or, if the property is occupied, by posting the notice at a conspicuous place upon the affected property. (Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)

FAILURE OR OWNER AND/OR OCCUPANT TO COMPLY:

Any person, firm, partnership, or corporation who or which fails to comply with the requirements of this Ordinance within five (5) days in accordance with the notice specified, upon conviction, be guilty of a summary offense, and will be sentenced to pay a fine of not more than three hundred (\$300.00) dollars, or in lieu of said fine, to be sentenced to a term of imprisonment not to exceed thirty (30) days. Each and every day of continued violation will constitute a separate offense.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)

TOWNSHIP REMOVAL OF NUISANCE:

In the event of the failure of the owner and/or occupant to comply with the requirements of this Ordinance within five (5) days of the date of the notice specified, the Township may have the grass and weeds brought into compliance and bill the owner for the cost plus a penalty of ten (10%) percent. These costs and penalties will be in addition to fines for violations. Penalties may be collected by summary proceedings or in the manner provided for the collection of municipal claims or by an action in assumpsit without the filing of a claim or by any other procedure authorized by law.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)

LEGAL PROCEEDINGS TO ENFORCE COMPLIANCE:

In addition to the fines for violations, costs, and penalties provided for by this Ordinance, the Township may institute proceedings in Courts of Equity to require owners and/or occupants or real estate to comply with the provisions of this Ordinance.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)

PENALTIES TO BE A LIEN:

The cost of removal, fine, and penalties mentioned above may be entered by the Township as a lien against the property in accordance with existing provisions of law.

(Enacted by the Enacted Codification, amended by Ordinance No. 200, enacted September 14, 1998.)