

ORDINANCE NO. A-190 -79

AN ORDINANCE PROHIBITING GRASS, WEEDS, AND CERTAIN OTHER VEGETATION TO EXCEED CERTAIN HEIGHTS, AND REGULATIONS FOR OWNERS AND OCCUPANTS OF PROPERTY TO REMOVE, TRIM, OR CUT GRASS, WEEDS, OR CERTAIN OTHER VEGETATION, AND AUTHORITY FOR THE BOROUGH TO REMOVE, TRIM, OR CUT THE SAME AT THE EXPENSE OF THE OWNER OR OCCUPANT.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Apollo, Commonwealth of Pennsylvania, as follows:

ARTICLE I:

Section 1. Definition and Interpretation. In this ordinance, the word "person" shall mean and include any natural person, partnership, association, firm or corporation. The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

Section 2. Grass, Weeds and Certain Other Vegetation Prohibited and a Nuisance Under Certain Conditions. No person owning or occupying any property within the Borough of Apollo shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for a useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of six (6) 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 any premises in the Borough 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 Borough.

Section 3. Owners and Occupants of Property to Remove, Trim or Cut Grass, Weeds and Certain Other Vegetation. The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, as to premises occupied 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 the second section of this ordinance.

Section 4. Authority for Borough to Remove, Trim or Cut Grass, Weeds and Certain Other Vegetation at Expense of Owner or Occupant. The Borough Council, or any officer or employee of the Borough designated thereby for the purpose, it 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 the second section of this ordinance, 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 ordinance, within five (5) days after issuance of such notice. In case any owner or occupant shall neglect, fail or refuse to comply with such notice, within the period of time stated thereon, the Borough authorities may remove, trim or cut such grass, weeds or other vegetation, and the cost of such work, with an additional amount of ten per centum (10%), may be collected by the Borough from such owner or occupant in the manner provided by law.

Section 5. Penalty for Violation. Any person who shall violate or fail, neglect or refuse to comply with any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution. Provided: such fine and costs may be imposed in addition to any amounts imposed under the fourth section of this ordinance.

ARTICLE II.

Any ordinance that is in direct conflict with any section of this Ordinance, previously approved by Borough Council, is hereby repealed and considered null and void.

ADOPTED this 2nd day of JULY, 1979.

John L. Habman
President of Council

EXAMINED and APPROVED this 2nd day of JULY, 1979.

William J. Kerr
Mayor