

**POINT TOWNSHIP
NORTHUMBERLAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2007-02

AN ORDINANCE AMENDING POINT TOWNSHIP ORDINANCE NUMBER 166 (GRASS AND WEEDS RESTRICTION ORDINANCE) SO AS TO AMEND THE SECTION THEREOF REGARDING FINES IMPOSED FOR VIOLATION TO PROVIDE FOR A SLIDING SCALE APPLICABLE TO REPEAT VIOLATORS.

BE IT ORDAINED by the Board of Supervisors of the Township of Point, at a regular meeting assembled, and it is hereby ORDAINED and ENACTED by and with the authority of the same, that:

- (A) Ordinance No. 166 be amended by deleting Section 4 thereof in its entirety, and replacing the same with the following:

“SECTION 4.

Any person, firm or corporation who shall violate any provisions of this Ordinance shall, upon conviction thereof, pay a fine as follows: First Incident: \$50.00; Second Incident: \$150.00; Third and Subsequent Incidents: \$300.00. In addition, violators shall pay all costs of prosecution, and in the default of payment of such fines and costs of prosecution, to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this ordinance continues after notice shall constitute a separate offense and be subject to separate fines for that incident.

ORDAINED AND ENACTED as an Ordinance of the Township of Point,
Northumberland County, Pennsylvania, amending Ordinance No. 166 and any
amendments thereto, with all other sections and provisions of the said Ordinance
No. 166 and amendments thereto to remain in full force and effect, this 14th day
of August, 2007.

ATTEST:

Alaina C. Lister
Secretary

POINT TOWNSHIP BOARD OF
SUPERVISORS

BY: Randall W. Yoxheimer
Randall W. Yoxheimer, Chairman

Montie Peters
Montie Peters, Vice-Chairman

James A. Neitz
James A. Neitz, Sr., Supervisor

John Deitrich
John Deitrich, Supervisor

Joseph Stender
Joseph Stender, Supervisor

POINT TOWNSHIP BOARD OF SUPERVISORS

ORDINANCE NO. 166-87

AN ORDINANCE RESTRICTING THE HEIGHT OF GRASS, WEEDS AND SIMILAR GROWTH, DECLARING SUCH GROWTH EXCEEDING TWELVE INCHES TO BE A PUBLIC NUISANCE, AUTHORIZING ABATEMENT OF SUCH NUISANCE, PROVIDING FOR EXEMPTION AS TO ANY PROPERTY WHICH IS UTILIZED PREDOMINANTLY FOR AGRICULTURAL PURPOSES, PROVIDING FOR RECOVERY OF COSTS OF ABATEMENT, AND PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ORDAINED by the Board of Supervisors of the Township of Point in regular meeting assembled, and it is hereby ordained and enacted by and with the authority of the same, as follows:

SECTION 1.

In the interest of health, safety and welfare of the inhabitants of Point Township, no person, firm or corporation, owning, occupying, leasing, or having a present interest in the real estate within the Township of Point shall permit any grass, weeds, or any vegetation whatsoever, which is not edible, planted for some useful or ornamental purpose, or planted for agricultural purpose, to grow or remain upon such premises as to exceed a height of twelve (12") inches, or permitting any such grass, weeds, or any vegetation that throws off any unpleasant or noxious odor, or to conceal any trash or any filthy deposit. Any grass, weeds or other vegetation so described, growing upon any premises in Point Township in violation of any provisions of this Section, is hereby declared to be a public nuisance and detrimental to the health, safety, cleanliness and comfort of Point Township.

SECTION 2.

The foregoing provisions pertaining to the permissible height of vegetation within the Township shall not apply to any property which is utilized predominantly for agricultural purposes within the Township.

SECTION 3.

The Supervisors of Point Township or any officer or employee of Point Township designated thereby for this purpose, is hereby authorized to give notice, by a 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 as described aforementioned is growing or remaining in violation of the provisions of this Ordinance, directing or requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform with the requirements of this Ordinance within fifteen (15) days after issuance of such notice. If such owner or occupant cannot readily be found, the Supervisors of Point Township, or any officer or employee of Point Township designated hereby for that purpose, may then 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 (15) days. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated herein, the Supervisors of Point Township may order the removal, trimming or cutting of such grass, weeds or other vegetation, and the cost thereof, together with a penalty of ten

(10%) percent of the cost thereof, shall be collected by Point Township from such person, firm or corporation, in the manner provided by law.

SECTION 4.

Any person, firm or corporation who shall violate any provisions of this Ordinance shall, upon conviction thereof, pay a fine of Three Hundred (\$300.00) Dollars, and the costs of prosecution, and in default of payment of such fine and costs of prosecution, to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this ordinance continues after notice shall constitute a separate offense.

SECTION 5.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 6.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such ruling shall not affect the validity of the remaining portions thereof.

ENACTED AND ORDAINED as an Ordinance of the Township of

Point, Northumberland County, Pennsylvania, this 11th day of
August, 1987.

ATTEST:

Ruth O. Geise
Secretary

TOWNSHIP OF POINT

Paul R. Geise
Chairman

James A. Metz
Arthur J. Stick

Louis E. Hummel
Brett Furr

I do hereby certify that the foregoing Ordinance was advertised in the
Daily Item on August 1, 1987, a newspaper of general circulation in the
Municipality and was duly enacted and approved as set forth at a regular
meeting of the Board held on August 11, 1987.

Ruth O. Geise
Secretary