

Chapter 101

BRUSH, GRASS AND WEEDS

§ 101-1. Growth of grass and weeds restricted.

§ 101-2. Responsibility for removal or trimming of vegetation.

§ 101-3. Notice of violation; failure to comply; Borough's costs of removal.

§ 101-4. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Beech Creek 9-6-1977 by Ord. No. 75 (Ch. X, Part 1, of the 1978 Code of Ordinances). Amendments noted where applicable.]

§ 101-1. Growth of grass and weeds restricted.

No person, firm or corporation, owning or occupying any property within the Borough of Beech Creek, shall permit any grass or 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 any premises in the Borough in violation of any provisions 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.

§ 101-2. Responsibility for removal or trimming of vegetation.

The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of 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 § 101-1 of this chapter.

§ 101-3. Notice of violation; failure to comply; Borough's costs of removal.

The Borough Council, or any officer or employee of the Borough designated thereby for the purpose, is hereby authorized to give notice, by personal service or by 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 § 101-1 of this chapter, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation, so as to conform to the requirements of this chapter, within five days after issuance of such notice. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice, within the period of time stated therein, the Borough authorities may remove, trim or cut such grass, weeds or vegetation, and the costs thereof, together with 10% additional of such costs, may be collected by the Borough from such person, firm or corporation, in the manner provided by law.

§ 101-4. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding 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 court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the county correctional facility for a period not exceeding 90 days. Each day that such violation exists shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. In addition to or in lieu of enforcement under this section, the Borough may enforce this chapter in equity in the Court of Common Pleas of Clinton County.