

BOROUGH OF EAST PROSPECT  
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 97 - 4

AN ORDINANCE AMENDING ORDINANCE NO. 70-4 FOR THE BOROUGH OF EAST PROSPECT ESTABLISHING SPECIFIC HEIGHT RESTRICTIONS ON NUISANCE VEGETATIVE GROWTH, RESPONSIBILITY AND NOTICE FOR REMOVING, CUTTING OR TRIMMING SUCH GROWTH, AND SETTING PENALTIES FOR VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of East Prospect, York County, Pennsylvania, as follows:

Section 1. Vegetative Growth a Nuisance Under Certain Conditions.

The growing of any grass, weeds or other vegetation not useful for edible or ornamental purposes to a height in excess of six (6) inches, or which produces any noxious or offensive odors or pollen, is hereby declared to be a nuisance in East Prospect Borough, East Prospect, Pennsylvania.

Section 2. Responsibility for Removing, Cutting or Trimming.

Every person, firm or corporation owning or occupying any premises in East Prospect Borough, East Prospect, Pennsylvania, is hereby required to cut and remove from said premises all grass, weeds or other vegetation not useful for edible or ornamental purposes growing to a height in excess of six (6) inches, or which produces any noxious or offensive odors or pollen.

Section 3. Notice to Remove, Trim or Cut; Municipality May Do Work and Collect Cost and Additional Amount.

The Borough Councilmen, or any officer, employee or agent thereof, are hereby authorized to notify any owner or occupant of any premises, personally or by United States mail by posting such notice upon the premises, to cut or remove any grass, weeds or other vegetation growing in violation of this Ordinance within such period of time as may be therein provided. Upon the failure of such owner or occupant to cut and remove the same within such period of time, the Borough Councilmen or any officer, employee or agent thereof, are hereby authorized and directed to enter upon such premises and to cut and remove such grass, weeds or other vegetation. The cost of such entry, cutting, and removal, together with a penalty of ten (10%) percent of the amount thereof, shall be paid by such owner or occupant within ten (10) days from the date of notification thereof, and upon failure to pay the same, such

cost and penalty shall be filed and entered as a lien against said premises, and shall be collected in the manner provided by law for the collection of municipal liens.

Section 4. Penalty for Violation.

Any person violating any of the terms or provisions of this Ordinance shall be subject to a fine in a sum not less than twenty-five (\$25.00) dollars and not exceeding six hundred (\$600.00) dollars and proceedings commenced by the Borough before any District Justice. Each day's violation shall constitute a separate offense for the purpose of commencing proceedings. Upon judgment against any person by conviction, or by proceedings by summons or default of the fine imposed and costs, said person may be sentenced to York County Jail for a period not exceeding thirty (30) days. This remedy is cumulative with other remedies in this Ordinance.

Section 5. Repealer.

All ordinances including Ordinance No. 70-4 or parts of ordinances which are inconsistent herewith are hereby repealed.

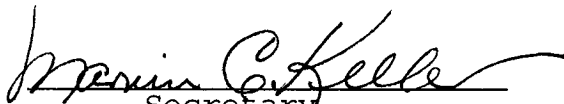
Section 6. Effective Date.

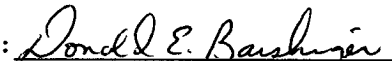
This ordinance shall become effective immediately upon enactment.

ENACTED OR ORDAINED this 6th day of May, 1997.

ATTEST:

BOROUGH COUNCIL OF EAST PROSPECT

  
Secretary

By:   
President/Vice President

Approved this 6th day of May, 1997.

  
Mayor