

**ORDINANCE 11 - 2006**

**PROPERTY MAINTENANCE**

**AN ORDINANCE OF THE BOROUGH RELATING TO MAINTENANCE OF PROPERTIES WITHIN THE BOROUGH IN REGARD TO CUTTING OF GRASS, WEEDS OR OTHER VEGETATION; THE REMOVAL OF SNOW FROM SIDEWALK AREAS; PROHIBITING THE STORAGE OF JUNK; PROVIDING FOR REMEDIAL ACTION BY THE BOROUGH IN SPECIFIED SITUATIONS; AND PRESCRIBING PENALTIES FOR VIOLATION OF THE REGULATIONS.**

**BE IT ENACTED AND ORDAINED** by the Borough and hereby enacted and ordained as follows:

**SECTION 1.**

A. Any person, firm, or corporation, owning any property within the Borough, shall as provided in this Ordinance, trim or cut all grass or weeds or other vegetation whatsoever not planted or used for some agricultural or ornamental purpose. No such person, firm or corporation shall permit to grow upon property owned by it any grass, weeds, or other vegetation which does emit any unpleasant or noxious odor or which does conceal any filthy deposit. Any grass, weeds or other vegetation growing upon any premises in the Borough on violation of any of the 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.

B. The owner of a property shall remove, trim or cut to height of four (4) inches or less, all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of this Ordinance in accordance with the following minimum schedule: At least one time prior to May 31<sup>st</sup> of each year; at least one time between July 16<sup>th</sup> and August 31<sup>st</sup> of each year; and at least one time between September 1<sup>st</sup> and the end of the growing season. Provided, however, that no owner shall at any time permit any grass, weeds, or other vegetation to grow on his/her property to a height in excess of eight (8) inches.

C. The Borough Council shall give notice by publication in a local newspaper, at least one time during the months of April or May of each year, of the dates established for cuttings. 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, by United States mail or by posting the property, to the owner of any premises whereon grass, weeds, or other vegetation are growing or remaining in violation of the provisions of this Ordinance, directing and requiring such owner to remove, trim or cut such grass, weeds or vegetation, so as to conform to the requirements of this Ordinance, within five (5) days after the issuance of such notice. In case any person, firm or corporation shall neglect, 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 cost thereof, together with any additional penalty authorized by the Law, may be collected by the Borough from such person, firm or corporation, in the manner provided by Law.

## **SECTION 2.**

Any person, firm, or corporation owning any property within the borough shall remove all accumulation of snow or ice from the sidewalk within 24 hours after the ceasing of the snowfall or ice storm, or the formation of ice. No person, firm, or corporation, shall deposit or cause to be deposited any snow, ice, hail, or sleet upon any plowed portion of a Borough street or road. The Borough Council or any officer or employee of the Borough designated thereby for the purpose, hereby authorized to give notice, by personal service, by United States mail or by posting the property, to the owner any premises informing the owner that he is in violation of the provisions of this Section 2, and ordering said owner to immediately comply with such notice, the Borough authorities may clear the premises of all snow or ice, and the cost thereof, together with any additional penalty authorized by the Law, may be collected by the Borough from such person, firm, or corporation, in the manner provided by Law.

## **SECTION 3.**

A. No person, firm, or corporation owning property within the Borough shall permit the accumulation or storage of any junk on said property. For the purpose of this Ordinance, the term "junk" shall include any discarded material or article including, but not limited to scrap metal, scrapped, abandoned or junked machinery; and paper or glass waste. Junk shall not include refuse or garbage kept in a proper container for the purpose of prompt disposal.

B. No person, firm, or corporation owning property within the Borough shall permit the outside storage or deposit of any motor vehicle, recreational vehicle, or parts thereof, not displaying a valid current registration issued by the Commonwealth of Pennsylvania Bureau of Motor Vehicles, Department of Transportation. The definition of "motor vehicle" set forth in the Pennsylvania Motor Vehicle (75 Pa.C.S.101 et seq.) is incorporated by reference herein and made a part thereof. Provided, however, that this section 3 shall not apply to the storage of motor vehicles, recreational vehicles, or parts thereof by licensed auto dealers nor the storage of motor vehicles, recreational vehicles, or parts thereof within a fully enclosed garage or other building.

**SECTION 4.**

Any person, firm, or corporation or which shall violate or fail, neglect or refuse to comply with any of the provisions of this Ordinance, shall, upon conviction of a summary offense by a District Justice be fined not less than \$25.00 nor more than \$300.00 for each offense, shall be ordered to pay the Borough any costs incurred by the Borough as provided in Section 1 and 2 above, together with the costs of this action and in default of payment thereof, be committed to the County Prison for a period not exceeding thirty (30) days.

**SECTION 5.**

Should any section or provision of this Ordinance be declared to be invalid by the court, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provisions of the Ordinance than the one so declared.

**SECTION 6.**

All other Ordinances or parts of Ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

BY: Robert T. Daylida  
Robert T. Daylida, President

ATTEST:

Dolores Mynes  
SECRETARY, Dolores Mynes  
(Seal)

PASSED AND ADOPTED this 10<sup>th</sup> day of April, 2006.

BY: Robert L. Hynoski  
Robert L. Hynoski, Mayor