

Ordinance 72-10

Growth + Vegetation ground

12/11/1972

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ORDINANCE NO. 72-10

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, REQUIRING THE CUTTING AND REMOVAL OF GRASS, WEEDS AND OTHER SIMILAR GROUND COVER VEGETATION EXCEEDING A HEIGHT OF TWELVE INCHES; REQUIRING OCCUPANTS AND/OR OWNERS OF PREMISES TO MAINTAIN THE GROWTH OF SUCH GROUND COVER VEGETATION TO A HEIGHT OF TWELVE INCHES; PROVIDING PENALTIES FOR VIOLATION; AUTHORIZING THE TOWNSHIP OF HOPEWELL TO CUT AND REMOVE SUCH GROUND COVER VEGETATION UPON DEFAULT AND AT THE EXPENSE OF THE OWNER OR OCCUPANT OR PREMISES IN VIOLATION OF THE PROVISIONS HEREOF.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Hopewell, a municipal corporation under The First Class Township Code situate in the County of Beaver and Commonwealth of Pennsylvania, AND IT IS HEREBY ORDAINED AND ENACTED:

1. That pursuant to the authority contained in Section 1502 of The First Class Township Code [53 P.S. § 5626], as amended, the growth upon land within the Township of Hopewell of grass, weeds and other similar ground cover vegetation exceeding a height of twelve (12) inches is hereby declared to be a nuisance and to be detrimental to the public health and safety.

2. That no person, association or corporation owning or occupying land within the Township of Hopewell shall permit on such premises the growth of grass, weeds and other similar ground cover vegetation to exceed a height of twelve (12) inches.

3. That the occupant of such premises and, in the case of vacant premises, the owner thereof, shall cut, remove and thereafter maintain all grass, weeds and other similar ground cover vegetation growing upon such premises to a height not exceeding twelve (12) inches.

4. That the Zoning Officer of the Township of Hopewell, and such other persons as may hereafter be designated by Resolution of the Board of Commissioners, are hereby authorized and directed to give notice of the violation of this Ordinance to the occupant and/or owner of such premises where ground cover vegetation may be found to exceed the height of twelve inches, directing and requiring such occupant and/or owner within five (5) days thereafter to cut, remove and maintain the same to a height not exceeding twelve (12) inches. Such notice of violation may be served personally upon such occupant and/or owner or dispatched to such occupant and/or owner by Certified Mail, Return Receipt Requested.

5. That in the event that any person, firm or corporation after being served with notice of the violation of this Ordinance shall fail, neglect or refuse to comply with the directives and requirements of such notice, the Township of Hopewell may cut and remove such ground cover vegetation to a height not exceeding twelve inches and collect the actual cost thereof, together with a penalty of ten per centum of such cost, in the manner provided by law for the collection of municipal claims or by action of assumpsit against the occupant and/or owner, as the case may be, without the filing of a claim.

6. That in addition to any other penalty hereinbefore provided any person, firm or corporation who or which shall violate the provisions of this Ordinance, or shall fail, neglect or refuse to comply with the directives and requirements of any notice of violation of this Ordinance, shall upon conviction thereof be sentenced to pay a fine of not less than TEN DOLLARS (\$10.00) nor

more than FIFTY DOLLARS (\$50.00) and costs of prosecution. In the event that the Township shall not have proceeded to recover its actual costs, together with penalty as provided in Section 5 hereof, the same shall be awarded to the Township as part of the sentence upon conviction in summary proceedings instituted for the violation of this Ordinance. AND FURTHER PROVIDED that following notice of violation and the expiration of the period of time granted for compliance with the directives and requirements contained in such notice, each day such violation shall continue shall constitute a separate offense and subsequent notice to the offender of such continuing violation shall not be required.

7. That in addition to any other remedy hereinbefore provided, the Board of Commissioners may seek to enforce the provisions of the Ordinance against any violator by bill in equity.

8. This Ordinance shall be effective January 1, 1973.

ORDAINED AND ENACTED this 11th day of December, 1972.

TOWNSHIP OF HOPEWELL

(SEAL)

by W Ray Miller
President of the Board of
Commissioners

ATTEST:

Charlotte M. Buffington
Secretary

PROOF OF PUBLICATION

The **Beaver County Times**, a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, INC., a Pennsylvania corporation, 400 Fair Avenue, West Bridgewater, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays since said date.

The attached advertisement, which is exactly as printed and published, appeared in the regular issue on **12/21**

BEAVER NEWSPAPERS, INC.

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

By James R. Miller

Before me, a Notary Public in and for such county and state, personally known to me, **JAMES R. MILLER**, who being duly sworn according to law saith

SECRETARY-TREASURER of BEAVER NEWSPAPERS, INC.; that neither said corporation is interested in the subject matter of the attached advertisement, nor that all of the allegations of the foregoing statement including those as to the time and character of publication are true.

Sworn to and subscribed before me
this **1ST** day of **JANUARY 1973**

Marion L. Hupp

The costs of advertising and proof,
has been paid.

