



ORIGINAL

**ORDINANCE NO. 2016-3
OF
SOUTH FRANKLIN TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

**SOUTH FRANKLIN TOWNSHIP
BRUSH, GRASS AND WEEDS ORDINANCE**

**AN ORDINANCE OF SOUTH FRANKLIN TOWNSHIP DEEMING IT UNLAWFUL
FOR ANY PERSON, FIRM OR CORPORATION TO ALLOW OR PERMIT TO
REMAIN UPON ANY PUBLIC OR PRIVATE GROUNDS IN THE TOWNSHIP OF
SOUTH FRANKLIN, IN ALL ZONES EXCEPT AGRICULTURAL (A-1), ANY
GROWTH OF WEEDS AND/OR GRASS OF SUCH HEIGHT HEREAFTER
ESTABLISHED.**

WHEREAS, in the Township of South Franklin, Washington County, Pennsylvania, growth of weeds and/or grass on private or public property exceeding nine inches shall be deemed in violation of this ordinance and may be a risk to the health and safety of the residents of the Township, and

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of South Franklin Township, Washington County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1: Prohibited Acts.

This ordinance shall be known as the South Franklin Township Brush, Grass and Weeds Ordinance.

Section 2: Removal by Township.

If the Code Enforcement Officer shall determine that the growth of weeds and/or grass on any property zoned other than Agricultural (A-1) exceeds the average height of nine inches the owner or owners of the ground upon which such growth exists shall cause the removal thereof within 15 days from receipt of the date of written notice from the Code Enforcement Officer. Upon failure of the owner or owners to comply with said written notice of removal, the Township shall cause the removal of said growth to be done and collect the costs thereof, together with a penalty of 10% of such costs, from the owner, owners or occupiers of the ground upon which such growth exists in the manner provided by law for the collection of municipal claims of by action of assumpsit. The Township will repetitively continue to perform this said removal or cutting each time the weeds or grass exceeds and average height of nine inches and will be billed accordingly.

Section 3: Applicability of Provisions.

The terms and provisions of this article shall not apply to lands devoted to agricultural use or otherwise actively cultivated. It shall likewise not apply to undeveloped area or to areas which,

by reason of slope, steepness or terrain or other geographic features, render the property inaccessible. The Code Enforcement Officer shall make the initial determination of inaccessibility subject to review by the Township Board of Supervisors. This article shall likewise not apply to hedges or other vegetation grown for ornamental purposes which are trimmed and otherwise reasonably maintained. Such trimming must be done on at least an annual basis, and such hedges or other ornamental vegetation must be confined to the property owner's lot and otherwise conform to all other township ordinances. Vacant lots in R-1, not containing a permitted structure or occupant, are exempt from this ordinance. Vacant lots in R-2 and other zoning districts otherwise not noted that have a permitted structure on the lot must be kept in compliance with the ordinance.

Section 4: Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$500, plus costs of prosecution and, in default of such fine and costs, to imprisonment for a term not to exceed 90 days.

Section 5: Prohibited Vegetation.

No person, firm or corporation owning or occupying any property within the Township of South Franklin shall permit any grass or weed or 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 9 inches; nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. §255.1) or by regulations of the Department of Agriculture be permitted to grow within the Township of South Franklin, including:

- Marijuana
- Chicory, succory or blue daisy
- Canadian thistle
- Multiflora rose
- Johnson grass

Any grass, weeds or other such vegetation growing upon any premises in the Township of South Franklin in violation of any of the provisions of this section which is detrimental to health, safety, cleanliness and comfort of the inhabitants of the Township is hereby declared a nuisance.

Section 6: Responsibility for Removal, Cutting or Trimming.

The owner of any premise or the occupant of premises occupied by other than the owner shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of Section 5.

Section 7: Notice to Remove, Trim or Cut; Removal by Township.

The South Franklin Township Board of Supervisors or any officer or employee of the Township designated thereby for this purpose is hereby authorized to give notice, by personal service of the

weeds or other vegetation is growing or remaining in violation of the provisions of Section 5 of this ordinance, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this article within 15 days after the issuance of such notice. Whenever, in the judgment of the Board of Supervisors, it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner of occupant would entail unreasonable delay, the Board of Supervisors or any officer or employee of the Township designated thereby for that purpose may give notice by letter, posting conspicuously on the property where such nuisance exists a notice or order directing and requiring that such nuisance be abated within 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 therein, the Board of Supervisors may order the removal, trimming or cutting of such grass, weeds or vegetation, and the cost thereof, together with a penalty of 10% of the cost thereof, shall be collected by the Township from such person, firm or corporation in the manner provided by law.

Section 8: Violations and Penalties.

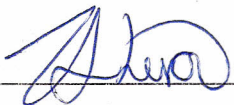
Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than \$500 per day, plus costs of prosecution and, in default of payment of such fine and costs, to undergo imprisonment for a term not to exceed 30 days. Each day that a violation of this ordinance continues after notice shall constitute a separate offense.

Section 9: Effective Date.

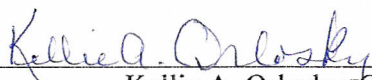
This Ordinance shall become effective April 6, 2016, and shall continue on a calendar year basis without annual reenactment.

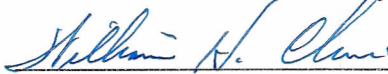
ORDAINED AND ENACTED this 6th day of April, 2016.

ATTEST:



SOUTH FRANKLIN TOWNSHIP


Kellie A. Orlosky, Chair


William H. Cline, Vice Chair


Mark W. Knestrick, Supervisor