

Chapter 54

GRASS, WEEDS AND OTHER VEGETATION

§ 54-1. Certain growths prohibited;
nuisance declared.

§ 54-2. Removal of weeds and other
vegetation constituting nuisance.

§ 54-3. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg 6-2-1975 by Ord. No. 3-75; amended in its entirety 8-5-2002 by Ord. No. 7-02. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Property maintenance — See Ch. 42.

Shade trees — See Ch. 89.

§ 54-1. Certain growths prohibited; nuisance declared.

It shall be unlawful for any person, firm, association or corporation, or the officers thereof, owning, leasing, occupying or having any interest in any real estate, property or land within the Borough of Pennsburg, to permit any grass or weeds or any vegetation whatever not edible or planted or cultivated for some useful or ornamental purpose to grow or remain upon such premises so as to exceed a height of eight inches, or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or produce pollen. Any such grass, weeds or other vegetation growing or remaining upon any such premises in violation of this section is hereby declared to be a nuisance and detrimental to the health, safety, comfort and convenience of the inhabitants of the Borough.

§ 54-2. Removal of weeds and other vegetation constituting nuisance.

Wherever any such grass, weeds or other vegetation is permitted to grow or remain upon any property contrary to the provisions of this chapter, the Code Enforcement Officer shall cause a notice to be served upon the owner, lessee or lessor, occupant or agent of the owner, lessee or lessor, or upon any person having any interest therein, requiring the removal of same within three days, in default of which such grass, weeds or other vegetation shall be cut and/or removed by or under the direction of the Code Enforcement Officer or such other person as may be designated by Council, and the cost thereof, together with a penalty of 10%, as provided by law in the case of nuisances, shall be collected in the manner provided by law for the collection of municipal claims, either by filing a lien or by action of assumpsit, or in any other authorized manner; provided, where the owner, lessor, lessee, occupant or agent for the owner of such land or real estate does not reside in the Borough or their presence cannot be determined, the aforesaid notice shall be posted upon the offending premises in lieu of service upon such owner.

§ 54-3. Violations and penalties.

Any person, firm, association or corporation, or the officers thereof, violating any of the provisions of this chapter shall, upon conviction thereof before a District Magistrate, be sentenced to pay a fine of not less than \$25 nor more than \$600 and costs of prosecution, and in default of payment of such fine and costs, to imprisonment in the county jail for not more than 30 days; provided that each refusal or neglect to comply with the terms or provisions of this chapter shall constitute a separate offense, and provided further that for the purpose of enforcing the penal provisions of this chapter, it shall not be necessary to first notify the offender in order that the presence of such weeds may constitute an offense.