

HAWTHORN BOROUGH

ORDINANCE # 206

AN ORDINANCE OF THE BOROUGH OF HAWTHORN RELATING TO MAINTENANCE OF PROPERTIES WITHIN THE BOROUGH IN REGARD TO CUTTING GRASS, WEEDS OR OTHER VEGETATION; PROVIDING FOR REMEDIAL ACTION BY THE BOROUGH IN SPECIFIED SITUATIONS; AND PRESCRIBING PENALTIES FOR VIOLATION OF THE REGULATIONS.

WITNESSETH:

WHEREAS, Hawthorn Borough Council has determined that the existing powers to enforce Borough Ordinances are not sufficient; and

WHEREAS, the power is deemed necessary and beneficial to the public health, safety and Welfare.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED AS FOLLOWS:

-Part 1-

Section 1.

- A. Every person in charge or control of any property or lot of land, every firm or corporation, whether as owner, tenant, occupant, lessee or otherwise, 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. So 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. Every person in charge or control of any property within the Borough shall remove, trim or cut to height of 8 inches or less, all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of this Ordinance. **Provided, However,** that no owner shall at any time permit any grass, weeds, or other vegetation to grow on his property to a height in excess of 8 inches.
- C. 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 or 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, fail 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.

Every person in charge or control of any property or lot of land, every firm or corporation, whether as owner, tenant, occupant, lessee or otherwise 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 Judge be fined not less than \$100.00 nor more than \$300.00 for first offense; second offense fined not less than \$200.00 not more than \$300.00; third offense fined not less than \$300.00, shall be ordered to pay the Borough any costs incurred by the Borough as provided in Section 1 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 3.

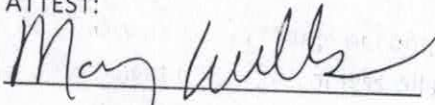
Should any section or provision of this Ordinance be declared to be invalid by the courts, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provisions of the Ordinance than the one so declared.

Section 4.

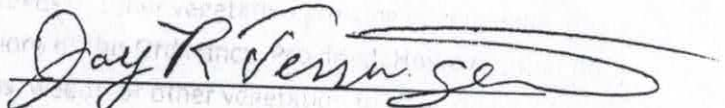
All other ordinances or parts of ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

ENACTED AND ORDAINED at a meeting of the Borough Council of the Borough of Hawthorn, Clarion County, Pennsylvania, on the 5th day of August, 2014.

ATTEST:

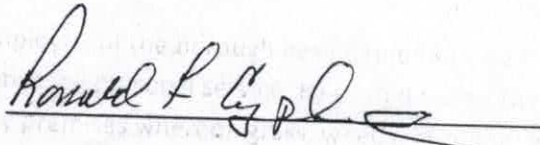


Mary Wells, Borough Secretary



President of Council

Approved this 5th of August 2014



Ronald Cyphert, Mayor