

ORDINANCE NO. 00-101

**AN ORDINANCE OF THE TOWNSHIP OF WICONISCO PROHIBITING NOXIOUS VEGETATION AND RESTRICTING HEIGHT OF VEGETATION GENERALLY; PROVIDING FOR ABATEMENT AS A NUISANCE; ESTABLISHING PROCEDURES FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION.**

The Township of Wiconisco hereby ordain as follows:

**Section 1. Vegetative Growth a Nuisance Under Certain Conditions.** No person, firm or corporation, owning or occupying any property within the Township of Wiconisco, shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such property so as to exceed a height of eight (8) inches; nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. §255.8) or by regulations of the Department of Agriculture be permitted to grow within the Township of Wiconisco including:

1. Marijuana
2. Chicory, Succory or Blue Daisy
3. Canadian Thistle
4. Multiflora Rose
5. Johnson Grass

Any grass, weeds or other vegetation growing upon any property in the Township of Wiconisco in 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 Township of Wiconisco.

**Section 2. Responsibility for Removing, Cutting or Trimming.** The owner of any property, or the occupant of a property occupied by other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such property in violation of the provisions of Section 1.

**Section 3. Notice to Remove, Trim or Cut; Municipality May Do Work and Collect Cost and Additional Amount.** The Board of Supervisors, or any officer or employee of the Township of Wiconisco designated thereby for this purpose, is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any property whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of Section 1 of this ordinance. The notice may direct the owner or occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this ordinance, within ten (10) days after issuance of such notice.

Whenever, in the judgment of the designated municipal official 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 or occupant would entail unreasonable delay, the Board of Supervisors or any officer or employee of the Township of Wiconisco designated thereby for that purpose, may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within ten (10) 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 ten percent (10%) of the cost thereof which shall be collected by the Township of Wiconisco from such person, firm or corporation, in the manner provided by law.

**Section 4. Penalties for Violation.** 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 one thousand dollars (\$1,000.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this ordinance continues after notice shall constitute a separate offense.

**Section 5. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed.

Ordinance No. 18 73-02

**Section 6. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 7. Effective Date.** This ordinance shall become effective on the 23rd day of April, 2000.

ATTEST:

Florence Fetterhoff  
Secretary

John H. [Signature]  
Chairman

I certify that this is a true  
and correct copy of the original

Ronald J. [Signature]  
[Signature]

Florence Fetterhoff