

ORDINANCE NO. 47-1990

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA PROHIBITING NOXIOUS VEGETATION AND RESTRICTING HEIGHT OF VEGETATION GENERALLY; PROVIDING FOR ABATEMENT AS A NUISANCE; ESTABLISHING PROCEDURES FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION.

AN ORDINANCE ENACTED BY THE SUPERVISORS OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, AS FOLLOWS:

SECTION 1. This Ordinance shall be known as the Centre Township Weed Control Ordinance of 1990.

SECTION 2. Vegetative Growth a Nuisance Under Certain Conditions. No person, firm or corporation, owning or occupying any property within the Township of Centre 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 premises so as to exceed a height of eighteen inches (18"); nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. Section 255.8) or by regulations of the Department of Agriculture be permitted to grow within the Township of Centre including:

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

Any grass, weeds or other vegetation growing upon any premises in the Township of Centre 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 Centre.

SECTION 3. Responsibility for Removing, Cutting or Trimming. The owner of any premises, 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 2.

SECTION 4. Notice to Remove, Trim or Cut; Municipality May Do Work and Collect Cost and Additional Amount. The Township of Centre, or any officer or employee of the Township of Centre 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 premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of section 2 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 ordinance, within fifteen (15) days after issuance of such notice. Whenever, in the judgment of the Ordinance Enforcement Officer 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 Township of Centre or any officer or employee of the Township of Centre 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 fifteen (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 Township of Centre 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 shall be collected by the Township of Centre from such person, firm or corporation, in the manner provided by law.

SECTION 5. 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 six hundred dollars (\$600.00), 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 6. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 7. 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

Township of Centre that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 8. Effective Date. This ordinance shall become effective of the earliest date allowed by law.

ENACTED AND ORDAINED AS AN ORDINANCE OF THE TOWNSHIP OF CENTRE THIS 10th DAY OF October, 1990.  
TOWNSHIP OF CENTRE

Albert W. Binkwojczak  
Chairman

Attest

George C. Saifert  
Secretary

Frank A. Spat  
Supervisor

Michael Hammon  
Supervisor