

BOROUGH OF NORTH APOLLO

ORDINANCE NO. 303 OF 2008⁹
(2011)

AN ORDINANCE OF THE BOROUGH OF NORTH APOLLO, COUNTY OF ARMSTRONG, AND COMMONWEALTH OF PENNSYLVANIA PROVIDING FOR THE REGULATION OF GRASS, WEEDS AND OTHER VEGETATION AND PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE.

SECTION 101 PURPOSE:

This ordinance is enacted in the interest of the health, safety and welfare of the residents of North Apollo Borough for the elimination of nuisances created by the growth of grass, weeds and other noxious vegetation within the Borough of North Apollo.

SECTION 102 GRASS, WEEDS AND CERTAIN OTHER VEGETATION PROHIBITED AS NUISANCES UNDER CERTAIN CONDITIONS:

A. Every property owner is required to cut and destroy all grass located on land within the jurisdictional limits of the Borough whenever it exceeds a height of eight (8") inches. In addition, every property owner is required to cut and destroy all weeds located on land within the jurisdictional limits of the Borough whenever they exceed 12 inches in height. Any property owner who does not maintain property as required by this section shall be in violation of this ordinance.

B. Council may exclude from the provisions of this section any land located in a public nature area or not within two hundred (200) feet of any private residence or place of public use; provided, that such weeds or grass do not otherwise cause a health or safety hazard.

SECTION 103 NOTICE TO ABATE:

A. Notice to abate a violation of this section shall be given in writing to the property owner and shall state a specified period of time for abatement by the property owner. Where a property owner cannot be found, or otherwise served with notice by mail, then alternatively, notice to abate a violation of this article may be given by posting the written notice in a conspicuous place near the main entrance of a structure on the property. If there is no structure on the property, the written notice shall be placed on a sign on the property closest to the nearest public street. In either event, the text of the notice shall contain a reference to the provision of this ordinance violated and may contain such other information respecting the nature of the violation as the code enforcement officer deems advisable.

B. It shall be unlawful for anyone to deface, tamper with, or remove the "notice to abate" sign from the property where it is posted unless authorized by Council.

SECTION 104 PENALTIES:

A. After notice to abate has been provided pursuant to Section 103, the Council may authorize the cutting or destruction of the weeds or grass. If Council authorizes the cutting or destruction of any grass or weeds as provided in this section, the Borough Shall have a lien for the costs of abatement, including recording fees and offender provisions provided, for an administrative fee in the amount established including expenses which may have been incurred by the Borough regarding such abatement. Offender provisions shall increase in the amount each time the city is required to cut or destroy weeds or grass within a growing season which shall be from May 1 to November 15.

- 1. First Offense: \$100.00
- 2. Second Offense: \$200.00
- 3. Third Offense: \$300.00
- 4. Fourth and Subsequent Offenses: \$600.00

B. A property owner who fails to cut or destroy weeds, as required in the notice provided in Section 103, shall be guilty of an offense punishable as provided herein. Each day a violation exists after notice is sent or posted, shall be a separate offense. In addition to the penalty provided in this section, the Borough may apply for injunctive relief to require abatement, in addition to any other remedies available.


SECTION 105 REPEALER:

Any and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

ORDAINED AND ENACTED THIS 2nd DAY OF February, 2008.^{ced}

BOROUGH COUNCIL OF NORTH APOLLO

BY: Thomas Newton
THOMAS NEWTON
Council President

ATTESTING:

EDWARD L. STITT, JR.
 Borough Secretary

Examined and approved by me this
2nd day of February, 2008.^{ced}

Jack Horneman
JACK HORNEMAN, Mayor

IN THE COURT OF COMMON PLEAS OF ARMSTRONG COUNTY, PA
CIVIL DIVISION - LAW

IN RE:

BOROUGH OF NORTH APOLLO
COUNTY OF ARMSTRONG AND
COMMONWEALTH OF PA

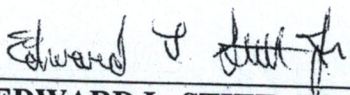
ORDINANCE NO. 303 OF 2009

CERTIFICATION

I, EDWARD L. STITT, Secretary of the Borough Council of the Borough of North Apollo, Armstrong County, Pennsylvania, do hereby certify that the attached Ordinance is a certified copy of the actual ordinance signed on February 2, 2009.

IN WITNESS WHEREOF, I have set my hand and seal and the seal of the Borough North Apollo, Armstrong County, Pennsylvania.

February 27, 2009


EDWARD L. STITT, JR.,
BOROUGH SECRETARY

BOROUGH SEAL