

**AN ORDINANCE OF THE BOROUGH OF NORTH APOLLO, COUNTY OF
ARMSTRONG, COMMONWEALTH OF PENNSYLVANIA,
MODIFYING THE NOTICE AND OFFENDER FEE SCHEDULE PROVISIONS OF
NORTH APOLLO ORDINANCE 303 OF 2009 PROVIDING FOR THE REGULATION
OF GRASS, WEEDS AND OTHER VEGETATION AND PROVIDING PENALTIES FOR
VIOLATION OF THE ORDINANCE**

WHEREAS, pursuant to the authority vested in the Borough of North Apollo (hereinafter "Borough") by the Pennsylvania Borough Code (53 P.S. §46008), the Borough desires to enact an Ordinance modifying Ordinance No. 303 of 2009 of the Code of the Borough of North Apollo to update and clarify the regulation of grass, weeds and vegetation within the Borough. Borough Council seeks to eliminate any health and safety problems that may arise with permitting overgrown grass, weeds and vegetation within the Borough. **This Ordinance amends and supplements North Apollo Ordinance No. 303 of 2009 adopted February 2, 2009.**

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Borough Council of the Borough of North Apollo, Armstrong County, Pennsylvania, as follows:

Section 103 NOTICE TO ABATE of the Code of the Borough of North Apollo is hereby deleted in its entirety.

Section 104 A. and B Penalties of the Code of the Borough of North Apollo is hereby modified to remove the references to deleted Section 103, increase the offender fee schedule and establish a maximum fine as follows:

A. 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 be authorized to file a municipal lien for the costs incurred by the Borough for abatement, including recording fees, court costs, offender fee, as listed in this section, and any and all administrative fees. Offender provisions shall increase in accordance with the schedule listed below due to the costs incurred by the Borough including, but limited to, monitoring and maintenance.

1. First Offense: \$200.00
2. Second Offense: \$300.00
3. Third Offense: \$400.00
4. Fourth or Subsequent Offenses
within calendar year \$700.00

B. A property owner who fails to cut or destroy weeds as provided by Section 102 shall be guilty of a summary offense and subject to a fine of up to \$1,000.00 per violation, plus costs of prosecution, and, in default of payment of such fine and costs, by imprisonment of not more than 30 days.

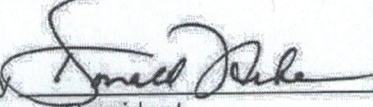
Severability: If any word, phrase, section, sentence, clause or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, invalidity or illegality shall not affect, or impair any of the remaining words, phrases, sections, sentences, clauses or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council of the Borough of North Apollo that this Ordinance would not have been adopted had such unconstitutional, illegal or invalid word, phrase, section, sentence, clause or part thereof been included therein. The Borough of North Apollo reserves the right to amend this Ordinance or any portion thereof from time to time as it deems advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

Repealer: All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

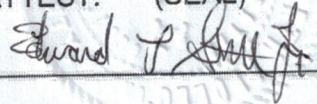
Effective date: This ordinance shall take effect at the earliest date permitted by law.

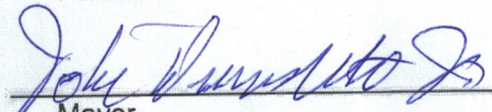
ORDAINED AND ENACTED this 6th day of August, 2018.

THE BOROUGH OF NORTH APOLLO

By 
President

ATTEST: (SEAL)




Mayor

CERTIFICATION

I, Edward L. Stitt, Jr., duly qualified Secretary of the Borough Council of the Borough of North Apollo, Armstrong County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 331 of 2018 is a true and correct copy of the original Ordinance No. 331 of 2018 duly passed and adopted by a majority vote of the Council of the Borough of North Apollo at a duly advertised and convened regular meeting held on the 6th day of August, 2018, and that the minutes of said meeting showing how each member voted have been duly recorded in the official minutes of said Borough Council and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of North Apollo, this 6th of August, 2018.

Certified to by:

Edward L. Stitt Jr.

Borough Secretary

