

FAWN GROVE BOROUGH

ORDINANCE NO. 94 -

AN ORDINANCE AUTHORIZING THE BOROUGH TO TAKE ACTION UPON PROPERTY WITHIN THE BOROUGH AND ASSESS THE PROPERTY OWNER FOR COSTS.

BE IT ENACTED AND ORDAINED by the Borough Council of Fawn Grove Borough, York County, Pennsylvania, as follows:

WHEREAS, the Borough Council of Fawn Grove has determined that certain real property in the Borough creates a hazard and danger to the health and safety of the citizens of the Borough; and

WHEREAS, the prevention of contagious and infectious disease and prevention of the spread of disease is vital to the public health and welfare of the community; and

WHEREAS, the growing of grass, weeds and vegetation invites various rodents to habitat on the property and the lack of maintenance of real property creates a haven for disease and bacteria to prosper.

NOW, THEREFORE, BE IT RESOLVED and ordained that Fawn Grove Borough hereby adopts the following :

1. The growing of any grass, weeds or vegetation not useful for edible or ornamental purposes to a height in excess of six (6) inches, or which produces any noxious or offensive odors or pollens, is hereby declared to be a nuisance in Fawn Grove Borough, York County, Pennsylvania.

2. Garbage, trash or other waste which remains on or in any property after the residents have vacated the same is hereby declared to be a nuisance in Fawn Grove Borough, York County, Pennsylvania.

3. Every person, firm, or corporation owning or occupying any real property in Fawn Grove Borough is hereby required to cut and remove from said premises all grass, weeds and vegetation not useful for edible or ornamental purposes growing to a height in excess of six (6) inches, or which produces any noxious or offensive odors or pollens . Every person, firm or corporation owning or occupying any real property in Fawn Grove Borough shall also be required to remove and eliminate any and all garbage, trash, or other waste remaining on the property after vacation of the property by the residents thereof.

4. The Fawn Grove Borough, or any officer, employee or agent thereof, is hereby authorized to notify any owner or occupant of any said property, personally or by United States regular mail or e by posting such notice upon the premises, to cut and remove any grass weeds or other vegetation growing in violation of this

Ordinance and to remove and eliminate all garbage, trash or other waste within ten (10) days of the date of the notice. Upon the failure of such owner or occupant to cut and remove the grass, weeds and vegetation or failure of such owner or occupant to remove and eliminate all garbage, trash or other waste within such period of time, the Borough Council or any officer, employee or agent thereof, is hereby authorized and directed to enter upon such premises and to cut and remove such grass weeds or other vegetation and to remove and eliminate any garbage, trash or waste. The cost of such entry, cutting, removal, or elimination, together with a penalty of ten (10%) percent of the amount thereof, shall be paid by such owner or occupant within ten (10) days from the date of notification of the cost and penalty. In the event the owner or occupier refuses to pay the cost and penalty, the same shall be filed and entered as a lien against said premises, and shall be collected in the manner provided by law for the collection of municipal liens.

5. Any person violating any of the terms or provisions of this Ordinance shall be subject to a fine in a sum not less than fifty (\$50.00) dollars and not exceeding (\$600) six hundred dollars in proceedings commenced by the Borough before any District Justice. Each day's violation shall constitute a separate offense for the purpose of commencing proceedings . Upon judgment against any person by conviction, or by proceedings by summons or default of the fine imposed and costs, said person may be sentenced to York County Jail for a period not exceeding thirty (30) days. This remedy is cumulative with any and all other remedies set forth in this Ordinance.

THIS ORDINANCE shall be effective immediately upon enactment.

ENACTED AND ORDAINED this 3rd day of October, 1994.

ATTEST:

BOROUGH OF FAWN GROVE

By: H. Nelson Hebert

By: Joseph M. Fadden

Approved this 3rd day of October, 1994.

Robert L. Sechrist
Mayor

I HEREBY CERTIFY the foregoing is a true and correct copy of the Ordinance enacted by Fawn Grove Borough Council the 3rd day of October, 1994.

H. Nelson Hebert
Secretary