

LOGANVILLE BOROUGH

YORK COUNTY, PENNSYLVANIA

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ORDINANCE NO. 2006-2

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**AN ORDINANCE PROHIBITING GRASS, WEEDS AND SIMILAR VEGETATION, NOT GROWN FOR AGRICULTURAL PURPOSES, OF EXCESSIVE HEIGHT IN LOGANVILLE BOROUGH, YORK COUNTY, PENNSYLVANIA; REQUIRING THE CUTTING AND REMOVAL THEREOF; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

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**IT IS HEREBY ENACTED AND ORDAINED** by the Borough Council of Loganville Borough, York County, Pennsylvania, as follows:

**Section 1.** That from and after the passage of this Ordinance, it shall be unlawful for any person, firm or corporation owning or having a present interest in any real estate in Loganville Borough, York County, Pennsylvania, to permit grass, weeds and similar vegetation, which is not grown for agricultural purposes, edible or planted for some useful or ornamental purpose, to grow to a height greater than six (6) inches or remain on the premises owned by them within the Borough; and all such grass, weeds and similar vegetation are hereby declared to be nuisances and detrimental to the health, safety and welfare to the inhabitants of the Borough.

**Section 2.** It shall be the responsibility of any person owning or having a present interest in any real estate within the Borough abutting on a public road to cut and remove any grass, weeds and similar vegetation existing in violation of Section 1 hereof upon that part of his property within the legal right-of-way limit of said public road.

**Section 3.** Upon notice of violation of this Ordinance, the Mayor shall cause notice to be given either by personal service or registered or certified mail to the owner of such land, to cut and remove said grass, weeds or similar vegetation within ten (10) days of the receipt thereof. Upon the failure of such owner to cut and remove said grass, weeds or similar vegetation as directed in said notice, the proper Borough officials or any other person aggrieved may appear on behalf of the Borough and initiate appropriate proceedings to enforce the provisions of this Ordinance before a District Magistrate or Justice of the Peace. In the alternative, the proper Borough officials or their agents may remove said grass, weeds or similar vegetation from the property. In such case, the cost for the service of removing said grass, weeds, or similar vegetation, plus ten percent (10%), shall be considered a lien against the property pursuant to the Pennsylvania Municipal Claims and Tax Liens Act, as amended, and collectible thereunder.

**Section 4.** Any person or persons who shall violate any provision of this Ordinance, upon conviction thereof in a summary proceeding before any District Magistrate or Justice of the Peace of York County, be sentenced to pay a fine of not less than Two Hundred Dollars (\$200.00) nor more than Six Hundred Dollars (\$600.00), together with costs of prosecution for each and every day said violation continues. And in default of said fine be imprisoned in the York County Jail for a period of not more than thirty (30) days. Any violation of this Ordinance shall be deemed a separate offense for each and every day such violation shall continue and shall be subject to the penalties above imposed for each and every separate offense.

**Section 5.** In addition to any applicable penalties or costs, any person who violates this Ordinance shall pay to Loganville Borough an administrative charge for each notice of violation sent, in each calendar year. The charges are set forth below, and may be modified by subsequent Resolution of Loganville Borough Council:

First Notice of Violation	No charge
Second Notice of Violation	\$ 50.00
Third Notice of Violation	\$100.00
Additional Notices	\$100.00

When a repeat violation occurs, the Borough may proceed immediately to remedy the violation per Section 3 of this Ordinance or provide notice to the owner of the violation. Such notice may allow the Owner time to cure the violation or indicate the action that is or must be taken.

The administrative charge and other fees that accrue under this Ordinance shall be due and payable at the municipal office of Loganville Borough no later than thirty (30) days from the date of the mailing of the notice of assessment of charge.

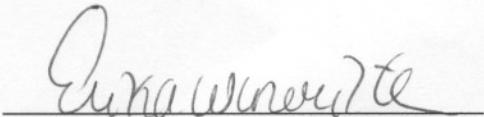
**Section 6.** This Ordinance shall become effective five (5) days after its enactment.

**Section 7.** The provisions of this Ordinance are severable. If any sentence, clause or section 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 or sections of this Ordinance. It is hereby declared to be the intent of the Council of Loganville Borough that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

**Section 8.** All prior Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

ENACTED AND ORDAINED this 7<sup>th</sup> day of August, 2006.

Attest:



Erika Winemiller, Secretary



LOGANVILLE BOROUGH COUNCIL

By: Ronald L. Tombesi

Ronald Tombesi, President  
Borough Council

Approved this 7<sup>th</sup> day of August, 2006.

By: Nelson R. Ahrens

Mayor

## CERTIFICATION

I hereby certify that I am the Solicitor for Loganville Borough, York County, Pennsylvania, and that the copy of Ordinance No. 2006-2 is a true and correct copy of that Ordinance, which was adopted at the meeting of the Loganville Borough Council held on August 7, 2006.

Date: 9-12-06

T J B  
Timothy J. Bupp

## LEGAL NOTICE

NOTICE is hereby given that the Council of Loganville Borough, York County, Pennsylvania, intends to adopt Ordinance 2006-2 Prohibiting Grass, Weeds, and Similar Vegetation, Not Grown for Agricultural Purposes, of Excessive Height, Requiring the Cutting and Removal and Providing Penalties for Violation, at a duly advertised regularly scheduled meeting, which shall take place no more than sixty (60) days from the date of this Legal Notice. The meeting will commence at 7:30 p.m. at the Loganville Borough Fire Hall, Mill Street, Loganville, Pennsylvania 17342.

Section 1 establishes height limitations for weeds, grass and similar vegetation. Section 2 sets forth responsibility to cut or remove vegetation. Section 3 establishes notice provisions. Section 4 provides penalties for violation. Section 5 outlines the procedure for administrative charges and repeat violations. Section 6 provides that the Ordinance shall be effective 5 days after enactment. Section 7 provides that any provision in the Ordinance found to be unconstitutional, illegal or invalid shall not affect the validity of the remaining portions of this Ordinance. Section 8 sets forth repealer.

A copy of the full text of the proposed Ordinance may be examined at the Loganville Fire Hall, Mill Street, Loganville Pennsylvania 17342, during normal business hours or at this newspaper.

LOGANVILLE BOROUGH COUNCIL

By: Timothy J. Bupp, Solicitor

Advertise one time on  
or before July 31, 2006.

Proof of publication and bill to:

Paula Gima, Treasurer  
Loganville Borough  
P.O. Box 88  
Loganville, PA 17342  
717/428-3938