

## Part 3

## Grass, Weeds and Other Vegetation

§301. Vegetative Growth a Nuisance Under Certain Conditions.

1. No person, firm or corporation owning or occupying any property within the Borough of Irwin 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 seven (7) inches; nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. §255.8) or by regulations of the Department of Agriculture be permitted to grow within the Borough of Irwin, including:

- A. Marihuana.
- B. Chicory, Succory or Blue Daisy.
- C. Canadian Thistle.
- D. Multiflora Rose.
- E. Johnson Grass.

2. Any grass, weeds or other vegetation growing upon any premises in the Borough of Irwin in violation of any of the provisions of this Section is hereby declared a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough of Irwin.

(Ord. 799, 8/9/1995, §1)

§302. 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 §301. (Ord. 799, 8/9/1995, §2)

§303. Notice to Remove, Trim or Cut; Borough May Do Work and Collect Cost and Additional Amount. The Borough Council, or any officer or employee of the Borough of Irwin 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 §301 of this Part, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this Part, within five (5) days after issuance of such notice. Whenever, in the judgment of the Borough Manager or other designated Borough official, 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 Borough of Irwin, or any officer or employee of the Borough designated thereby for that purpose, may give notice by conspicuously on the property where such nuisance exists a notice or order directing and requiring that such nuisance be abated within five (5) 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

Borough of Irwin may order the removal, trimming or cutting of such grass, weeds or vegetation and the cost thereof, together with a penalty of ten (10) percent of the cost thereof, shall be collected by the Borough from such person, firm or corporation, in the manner provided by law. (Ord. 799, 8/9/1995, §3)

§304. Penalties for Violation. Any person, firm or corporation who shall violate any provision of this Part 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 Part continues after notice shall constitute a separate offense. (Ord. 799, 8/9/1995, §4)