

Chapter 50

BRUSH, GRASS AND WEEDS

[HISTORY: Adopted by the Board of Supervisors of the Township of North Londonderry 6-14-1977 by Ord. No. 30; amended in its entirety 12-14-1993 by Ord. No. 98 (Ch. 51 of the 1991 Code). Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Outdoor burning — See Ch. 59.

§ 50-1. Definitions.

The following words, as used in this chapter, shall have the meanings hereby respectively ascribed thereto:

AGRICULTURE — The cultivation of the soil for food, animal feed or other marketable product.

ANIMAL HUSBANDRY — The practice of raising, keeping or breeding livestock or fowl that involves animals or birds which obtain their principal food source by grazing or foraging from the land or from receiving their feed at centralized feeding stations.

GRASS — Herbage suitable or used for grazing animals, including mostly herbaceous plants with jointed stems.

PERSON — Any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution or agency or any other legal entity whatsoever which is recognized by law as the subject of specific rights and duties.

WEEDS — Any Canadian or Russian thistle, chicory, burdock, nettle, poison ivy, sumac, goldenrod, wild lettuce, wild mustard, wild parsley, ragweed, milkweed, multiflora rose and Johnson grass and any other weeds added hereafter to the noxious weeds list by the Noxious Weed and Control Committee pursuant to Act 74 of 1982, H.B. 1429, adopted April 7, 1982, effective June 6, 1982.¹

§ 50-2. Height limitation.

- A. Every person owning or occupying any residential property which is not used for agriculture or animal husbandry within North Londonderry Township, having three (3) or less acres, where any weeds and/or grass in excess of ten (10) inches in height shall grow or are likely to ripen to seed, shall cut or remove such weeds and/or grass or cause the same to be cut or removed.

1. Editor's Note: See 3 P.S. § 255.1 et seq.

- B. Any person owning or occupying any property within North Londonderry Township having acreage in excess of three (3) or more acres shall not permit weeds in excess of ten (10) inches in height to grow or ripen to seed and shall cut or remove such weeds or cause the same to be cut or removed.

§ 50-3. Uncut weeds and/or grass to be considered nuisance.

Weeds and/or grass, as defined in this chapter, growing to a height in excess of ten (10) inches and which is not cut or removed in accordance with the provisions of this chapter is hereby declared to be a public nuisance and harmful to the health and welfare of the citizens and residents of North Londonderry Township.

§ 50-4. Notice to remove. [Amended 6-20-2011 by Ord. No. 161]

The Board of Supervisors through the North Londonderry Township Police Department, or any other authorized Township agent or employee, shall give written notice, by personal service or by regular mail to the last known address of said owner or occupant, to the owner or occupant of any property whereon weeds and/or grass is growing or remaining in violation of the provisions of this chapter, directing and requiring such owner or occupant to cut or remove all such weeds and/or grass within five (5) days after receipt of such notice by personal service or regular mail.

§ 50-5. Removal by Township; costs of removal.

If any person shall neglect, fail or refuse to cut and destroy such weeds and/or grass at the end of five (5) days, or in the event that the notice sent by certified mail addressed to the last known address of such owner or occupant is undelivered, within fifteen (15) days of the date of mailing of the same, the Board of Supervisors may enter upon such premises with such other person or persons as may be employed and cut down and destroy such weeds and/or grass, and said persons so employed shall be entitled to recover from said owner or occupant compensation for necessary man labor, hours of labor and machinery, at the same rate paid by North Londonderry Township for similar work on the roads.

§ 50-6. Violations and penalties.

- A. This chapter shall be enforced by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person who violates or permits the violation of this chapter shall, upon conviction in a summary proceeding, be punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for a term not exceeding ninety (90) days. Each day or portion thereof that such violation continues, or is permitted to continue, shall constitute a separate offense. Each section of this chapter that is violated shall also constitute a separate offense. [Amended 6-11-1996 by Ord. No. 108; 4-8-1997 by Ord. No. 112]
- B. After such time where it is necessary to send a second certified letter to the same person for the same property in the same calendar year, the second letter shall state that no further notice will be sent, and the landowner shall maintain the weeds in a timely manner and comply with any of the provisions of this chapter or be subject to the penalties of § 50-6A.