

Chapter 53

GRASS, WEEDS AND OTHER VEGETATION

- § 53-1. Definitions and word usage.
- § 53-2. Cutting and removal of noxious vegetation required.
- § 53-3. Duty of owner or occupant of premises.
- § 53-4. Notice to owner or occupant; noncompliance.
- § 53-5. Violations and penalties.

[HISTORY: Adopted by the Mayor and Council of the Borough of Swoyersville at time of adoption of Code 12-16-1972 by Ord. No. 21-1972; see Ch. 1, General Provisions. Amendments noted where applicable.]

GENERAL REFERENCES

Burning — See Ch. 34.
Damaging vegetation at playgrounds — See Ch. 65, § 65-2B and H.
Shade trees — See Ch. 86.

- § 53-1. Definitions and word usage.
 - A. For the purpose of this ordinance, the terms used herein shall be defined as follows:

PERSON — Any natural person, partnership, association, firm or corporation.
 - B. Word usage. The singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

§ 53-2. Cutting and removal of noxious vegetation required.

It shall be unlawful for any person owning or occupying any property within the Borough of Swoyersville to 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 twelve (12) inches or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or produce pollen, provided that the cutting of such grass, weeds or other vegetation twice a month in the months of May, June, July, August and September and the removal of the grass, weeds or other vegetation so cut shall be deemed evidence that no violation of this section shall have been created.

§ 53-3. Duty of owner or occupant of premises.

The owner of any vacant premises or premises occupied by the owner and the occupant thereof, in the case of premises occupied by other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of any of the provisions of § 53-2 of this ordinance.

§ 53-4. Notice to owner or occupant; noncompliance.

The Borough Council or any officer of the borough designated thereby for the 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 any of the provisions of § 53-2 of this ordinance, directing and requiring such owner or occupant to remove, trim or cut such grass, weeds or other vegetation so as to conform to the requirements of this ordinance within five (5) days after issuance of such notice. In case any person shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the borough authorities may remove, trim or cut such grass, weeds or other vegetation, and the cost thereof, with an additional charge of ten percent (10%), shall be collected by the borough from such person in default, in the manner provided by law.

The fine can be up to \$300. The fine is set by the District Justice.

**AN ORDINANCE OF THE BOROUGH OF SWOYERSVILLE, PENNSYLVANIA
AMENDING CHAPTER 53 - GRASS, WEEDS, OTHER VEGETATION**

BE IT ORDAINED AND ENACTED, and it is hereby enacted and ordained by the Borough Council of Swoyersville, Luzerne County, Pennsylvania, as follows:

A. It shall be unlawful for any person, company, firm and the like employed in the cutting of grass, weeds or any other vegetation whatsoever to discharge clippings onto a Borough street, alley or right of way.

B. It shall be unlawful for any person, company, firm and the like to dump any grass, weeds, or clippings or any other cutting of vegetation on or near water detention basins located in the Borough of Swoyersville.

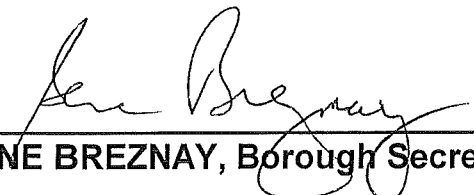
C. Penalties: Any person, company, firm and the like found to be in violation of this ordinance shall be subject to a fine of \$500 and the cost of prosecution.

ENACTED AND ORDAINED this 2nd day of November, 2009, at a regular meeting of Swoyersville Borough Council, held on November 2, 2009.



**RONALD ALUNNI
Council President**

ATTEST:



GENE BREZNAY, Borough Secretary

APPROVED, this 2nd day of November, 2009

VINCENT DENNIS, Mayor