

NEWBERRY TOWNSHIP  
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 240

AN ORDINANCE OF NEWBERRY TOWNSHIP, YORK COUNTY, PENNSYLVANIA, PROHIBITING GRASS, WEEDS AND OTHER VEGETATION IN EXCESS OF EIGHT (8) INCHES IN HEIGHT, REQUIRING THE REMOVAL, TRIMMING OR CUTTING OF VEGETATION IN EXCESS OF EIGHT (8) INCHES IN HEIGHT IN CERTAIN CIRCUMSTANCES, EXEMPTING CERTAIN AREAS FROM THE PROHIBITIONS OF THE ORDINANCE, PROVIDING CERTAIN ADMINISTRATIVE PROCEDURES FOR NOTICE AND COMPLIANCE WITH THE PROVISIONS OF THE ORDINANCE, AND PRESCRIBING PENALTIES FOR VIOLATIONS

WHEREAS, the Board of Supervisors of Newberry Township finds that it is necessary to prohibit the growth of grass, weeds or other similar vegetation in heights exceeding eight (8) inches; and

WHEREAS, Newberry Township wishes to regulate the growth of grass, weeds and other similar vegetation in excess of eight (8) inches in height.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Supervisors of Newberry Township as follows:

1. Section One: The following words when used in this Ordinance shall have the meanings ascribed to them in this section except where the context clearly indicates or requires a different meaning:

a. Person: Shall mean an individual, association, partnership or corporation.

b. Township: Shall mean Newberry Township, or the elected officials of Newberry Township, or the officers and employees of Newberry Township.

Section Two: No person owning real estate within Newberry Township shall permit the growth of any grass, weeds or similar vegetation exceeding a height of eight (8) inches within one hundred fifty (150) feet of any developed parcel or tract of land, or within three hundred (300) feet of any occupied structure, unless such premises is physically separated by a public street, railroad, stream, wooded area, hedge row or similar type separation.

Section Three: Within a residential development, no owner of a vacant building lot shall permit grass, weeds or similar vegetation to grow to a height in excess of eight (8) inches regardless of the distance from developed parcels or tracts of land.

Section Four: The following types of areas are exempt from the provisions of this Ordinance:

- A. All areas containing crops planted for some useful purpose.
- B. All wooded areas.
- C. All erosion control filter strips.
- D. All areas planted with vegetation designed to prevent erosion of steep slopes.

- E. All State Game Lands.
- F. All cultivated fields and similar areas used for agricultural purposes.
- G. All areas adjacent to streams (within twenty (20) feet).
- H. All mature hedge rows.
- I. All areas containing wildflowers and other ornamental plantings.
- J. All areas determined to be wetlands.
- K. All storm water management areas maintained as natural areas.

Section Five: The Township is hereby authorized to give notice of the violation of the terms of this Ordinance, by personal service or by United States mail, to the owner of the tract or parcel of land whereon the violation occurs. The notice to the owner of the premises shall direct the owner to remove, trim or cut the grass, weeds or vegetation so as to conform to the requirements and provisions of this Ordinance. The notice shall require the owner to comply with the provisions of this Ordinance within ten (10) days of the date of the notice. In the event that any person shall neglect, fail or refuse to comply with the provisions of this Ordinance within the time provided in the notice, or shall thereafter permit any further violation of this Ordinance, the Township may remove, trim or cut the grass, weeds or vegetation, and the cost thereof, together with any additional penalty authorized by law, may be collected by the Township from such

person by the filing of a municipal lien or by an action of assumpsit or by a civil action or in any other manner as may be provided by law for the enforcement and collection of municipal claims. It is the intent of this Ordinance that only one (1) notice of violation need be given to any person during the same growing season and that no additional notices shall be required before penalties for violation of the provisions of this Ordinance may be imposed.

Section Six: Any person who shall violate or fail, neglect or refuse to comply with any of the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before a District Justice, be sentenced to pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than Six Hundred (\$600.00) Dollars, together with costs of prosecution. Each day that grass, weeds or similar vegetation exceeds eight (8) inches in height shall constitute a separate offense.

ENACTED AND ORDAINED by the Newberry Township Board of Supervisors this 28<sup>th</sup> day of August, 1991.

ATTEST:

Frederick L. Sanders

BOARD OF SUPERVISORS OF  
NEWBERRY TOWNSHIP

BY:

  
Chairman