

ORDINANCE NO. 1 of 2023

AN ORDINANCE OF HICKORY TOWNSHIP, LAWRENCE COUNTY, PENNSYLVANIA TO SET FORTH REQUIREMENTS FOR CUTTING GRASS, WEEDS OR OTHER VEGETATION.

**SECTION 1. In General.** No person owning or occupying any property in the Township shall permit any grass, weeds or other vegetation, not edible or planted upon such property for a useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of six inches, to throw off any unpleasant or noxious odor, to conceal any filthy deposit or to create or produce pollen.

**SECTION 2. Property Owners to Remove, Trim or Cut Grass, Weeds or Other Vegetation, Responsibility of Occupants.** The owner of any such premises, whether occupied by the owner or not, shall be responsible to remove, trim or cut all such vegetation growing or remaining upon such premises in violation of Sections 1 or 3. Both the owner and the occupant, in the case of premises occupied by other than the owner, shall be jointly responsible for the compliance with this Part.

**SECTION 3. Maintenance of Large Parcels.** Any parcel of ground in excess of seventy-five (75) feet in frontage and one hundred fifty (150) feet in depth, located in the Township limits, shall be maintained according to the provisions of this section in the following areas of said parcel:

- A. One hundred (100) feet in depth from the street line, when abutting any open street or alley.
- B. Forty (40) feet in from any side or rear property line, when adjacent to property owned by others.

**SECTION 4. Notice to Owners and Occupants of Premises.** In addition to the penalties as hereinafter imposed in this Part, the Township Supervisors, or any officer or employee of the Township designated thereby for the purpose, is hereby authorized to give notice in writing by U.S. Certified Mail to the owner or the occupant, or either of them, of a violation of the terms and conditions of this Part, directing and requiring such occupant or owner or both of them to remove, trim, or cut such grass, weeds, or vegetation, so as to conform to the requirements of this Ordinance, within ten (10) days after issuance of such notice.

**SECTION 5. Penalty.** If any such owner and/or occupant shall neglect to comply with such notice within the time period stated herein, the Township authorities shall have the following remedies:

- A. They may remove, trim or cut such grass, weeds or vegetation so as to comply with the provisions of this Part; and the reasonable cost thereof, together with an administrative fee of one hundred fifty dollars (\$150.00), reasonable attorney's fees and statutory interest may be collected by the Township from such owner or occupant as a penalty under the provisions of this Ordinance, or in any other manner provided by law. This right as herein vested in the Township

shall be in addition to penalties prescribed by the provisions of this Part for the conviction of the owner or occupant as aforesaid to comply with the terms of this Part.

B. They may initiate summary proceedings against any person, firm or corporation who shall violate any of the provisions of this Part, who shall, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than three hundred dollars (\$300.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 6:** Repealer. All provisions of prior Hickory Township Ordinances which are contrary to this Ordinance are expressly repealed.

**SECTION 7.** Savings Clause. In all other respects, all previously enacted Hickory Township Ordinances shall remain as previously enacted and ordained.

**SECTION 8.** Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

**ENACTED AND ORDAINED** on this 5 day of September, 2023. This Ordinance shall become effective ten days after adoption.

Hickory Township  
Board of Supervisors  
Lawrence County, Pennsylvania

ATTEST:



Secretary



Michael Hall, Chairperson



William Dean



Christopher Fabian