

NOTICE

Notice is hereby given that the **Board of Supervisors of Springfield Township**, York County, Pennsylvania, will hold a public hearing and public meeting at their regularly scheduled meeting on October 14 2019 at 8:00 p.m. at the Township Office at 9211 Susquehanna Trail South, Seven Valleys, Pennsylvania, 17360 to consider for adoption an Ordinance. The Ordinance, Ordinance No. 2019-__ is entitled **“AN ORDINANCE OF SPRINGFIELD TOWNSHIP, YORK COUNTY, PENNSYLVANIA, MAKING IT UNLAWFUL TO PERMIT LAWN GRASS, WEEDS, NOXIOUS WEEDS AND SIMILAR VEGETATION TO GROW OR REMAIN ON CERTAIN LANDS IN SPRINGFIELD TOWNSHIP; DECLARING THE SAME TO BE A NUISANCE; PROVIDING FOR ABATEMENT THEREOF WITH NOTICE; PROVIDING FOR ASSESSMENT AND COLLECTION OF THE COST OF ABATEMENT THEREOF; PROVIDING PENALTIES FOR VIOLATION.”** Section 1 names the Ordinance as the “Weed Ordinance”. Section 2 provides definitions. Section 3 declares certain vegetation a nuisance. Section 4 requires the owner of any land in violation of the Ordinance to cut or remove such vegetation. Section 5 provides a notice to the owner to remove vegetation in violation of the Ordinance, providing reimbursement of any costs to abate the nuisance by the Township. Section 6 provides civil penalties. Section 7 provides the Ordinance provisions to be severable. Section 8 repeals prior Ordinance 2002-06 upon the effectiveness of this Ordinance. Section 9 provides the effective date to be five (5) days after enactment. Copies of the Ordinance are available at this newspaper, the York County Law Library, or the Township Office.

Barbara E. Sweitzer
Springfield Township Secretary

**SPRINGFIELD TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2019-_____

AN ORDINANCE OF SPRINGFIELD TOWNSHIP, YORK COUNTY, PENNSYLVANIA, MAKING IT UNLAWFUL TO PERMIT LAWN GRASS, WEEDS, NOXIOUS WEEDS, AND SIMILAR VEGETATION TO GROW OR REMAIN ON CERTAIN LANDS IN SPRINGFIELD TOWNSHIP; DECLARING THE SAME TO BE A NUISANCE; PROVIDING FOR ABATEMENT THEREOF WITH NOTICE; PROVIDING FOR ASSESSMENT AND COLLECTION OF THE COST OF ABATEMENT THEREOF; PROVIDING PENALTIES FOR VIOLATION

IT IS HEREBY ENACTED AND ORDAINED, by the Board of Supervisors of Springfield Township, York County, Pennsylvania as follows:

SECTION 1: NAME

This Ordinance shall be known and may be cited as the “Weed Ordinance”.

SECTION 2: DEFINITIONS

For the purpose of this Ordinance the following words shall have the meaning ascribed to them in this Section unless the context clearly indicates otherwise.

A. “Person” means any natural person, firm, partnership, association, corporation, company or organization of any kind.

B. “Residential Dwelling Area” means a structure located on a Farm intended or used for human habitation and a two (2) acres area of land surrounding the structure.

C. “Residential Lot” means a lot, tract or parcel of land of any size that is used principally as a residential location, a dwelling or a lot intended to be used for a residential dwelling regardless of zone, including any lot, tract or parcel residentially

utilized where the annual agricultural product sales amount does not total at least \$2,000.00 per year in actual sales.

D. "Township" means Springfield Township, York County, Pennsylvania.

E. "Weed" means any grass, plant life or vegetation whatsoever, which is not edible, or is not planted for some useful or ornamental purpose, or which throws off any unpleasant or noxious odor, or which conceals any filthy deposits or tends to create or produce pollen, or any plant designated from time to time as a noxious weed on the Noxious Weed Control List set out in the Noxious Weed Control Law, 3 P.S. Section 255.2 and the regulations promulgated thereto; for purposes of this definition only, lawn grass shall not be considered useful or ornamental.

F. Words not specifically defined above shall have the meaning given them in the Springfield Township Zoning Ordinance.

SECTION 3: DECLARATION AS A NUISANCE

No person owning any lot, lots, tract or parcel of land outside of a Conservation District and/or an Agricultural District, or any residential dwelling area on a farm in a Conservation District or Agricultural District, as set forth in the then current Springfield Township Zoning Ordinance and Map, as amended from time to time, or a Residential Lot, in any zone, shall allow or permit any weeds to grow or remain upon such premises which (i) exceeds a height of eight (8) inches; (ii) throws off any unpleasant or noxious odors; (iii) conceals any filthy deposit; (iv) creates weed seeds that drifts unto neighboring lots; (v) serves as a breeding ground for ticks, mosquitos, mice or other noxious rodents, insects or vermin; or, (vi) is a weed on the Pennsylvania Department of Agriculture's Noxious Weed Control List. To the extent areas in the Conservation District and/or Agricultural District are not residential dwelling areas or a

residential lot, such non-residential areas are exempt hereunder except in the case of existing noxious weeds.

Any weed so classified or so growing upon any Residential Lot or any Residential Dwelling Area within the Conservation District and/or Agricultural Zone, other than exempted areas in the Conservation District and/or Agricultural District, within the Township, which in any manner violates the provisions of this Ordinance are hereby declared to be a nuisance and detrimental to the health, safety, welfare, cleanliness and comfort of the inhabitants of the Township.

SECTION 4: REMOVAL AND/OR CUTTING REQUIRED

The owner of any premises subject to this Ordinance, shall cause to be removed, trimmed or cut all lawn grass, weeds or like vegetation growing or remaining upon such premises in violation of the provisions of this Ordinance.

SECTION 5: NOTICE TO REMOVE OR CUT; TOWNSHIP EXPENSES

The Board of Supervisors of the Township or any officer or employee of the Township designated thereby for such purpose, is hereby authorized to give notice, by personal service or by mail, to the owner of any premises wherein weeds are growing or remain in violation of the provisions of this Ordinance, directing and requiring such owner to remove, trim or cut such weeds to conformity with the requirements of this Ordinance within five (5) days after issuance of such notice. Failure or refusal to remove, trim or cut such weeds within such period of time shall be a violation of this Ordinance subject to the civil penalties set forth in Section 6 of this Ordinance. In addition, if any owner neglects, fails or refuses to comply with a notice issued pursuant to this Ordinance within the specified period of time, the Township may remove, trim or cut, or arrange for the removal, trimming or cutting of such weeds and vegetation. The owner

shall pay any costs or expenses, including but not limited to solicitor/attorney fees, incurred by the Township for the removal, trimming or cutting of weeds in violation of this Ordinance, together with a service charge of ten percent (10%) of such costs and expenses in addition to the civil penalties of Section 6 hereafter.

SECTION 6: CIVIL PENALTY

Any person violating the provisions of this Ordinance shall, upon being found guilty thereof, be subject to a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), but in no event shall such fine exceed the maximum civil penalty permitted by law for violation of a municipal ordinance. Additionally, the cost of prosecution, including but not limited to solicitor/attorney fees, shall be recoverable in such civil penalty. Each day of violation shall constitute a separate offense and subsequent notice to the offender for a continuing violation shall not be required or necessary in order to constitute a subsequent offense.

SECTION 7: SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance shall have been adopted as if such unconstitutional, illegal or invalid provision had not been included herein.

SECTION 8: REPEALER

Ordinance No. 2002-06, as amended, known and referred to as the “Weed Control Ordinance” or “Weed Ordinance” shall be repealed as of the effective date of this Ordinance.

SECTION 9: EFFECTIVE DATE

This Ordinance shall be and become effective five (5) days after enactment hereof.

ENACTED and ORDAINED by the BOARD OF SUPERVISORS OF SPRINGFIELD
TOWNSHIP, York County, Pennsylvania, on the ____ day of October, 2019.

SPRINGFIELD TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

Barbara E. Sweitzer, Secretary

TOMMY L. WOLFE, Chairman

ADAM E. SWEITZER, Vice-Chairman

WALTER P. REAMER, Supervisor