

**AN ORDINANCE OF THE BOROUGH OF LUZERNE
REGARDING GRASS, WEEDS AND OTHER
VEGETATION**

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

Section 1: Prohibited growth; time of removal by owner or occupant.

No person, firm or corporation owning or occupying any property within the Borough of Luzerne shall 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, or upon the grass plot along the street or sidewalk abutting upon such premises, so as to exceed a height of six (6) inches, or to throw off any unpleasant or noxious odor, or to conceal any filthy deposit, or to create or produce pollen or seed. Such owner or occupant shall cut, trim or remove all such grass, weeds or other vegetation, as often as necessary, to comply with the provisions of this section. Any grass, weeds or other vegetation growing upon or along any premise in the Borough in violation of any of the provisions of this section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough.

SECTION 2: Duties of Owners and Occupants.

The owner of any premises, as to vacant or unoccupied premise or premises, occupied by the owner, or the occupant thereof, as to premises occupied by anyone other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon said premises, or upon the grass plots adjacent thereto, as required by Section 1 of this Ordinance, and in so doing shall not cause the same to be placed or blown upon any public street, thoroughfare or alleyway under the jurisdiction or control of the Borough of Luzerne.

SECTION 3. Notice to Remove; Refusal to Comply.

The Borough Council, or any officer or employee of the Borough designated thereby for the purpose, is hereby authorized to give notice, by United States Mail or by personal service, to the owner or occupant, as the case may be, of any premises where grass, weeds or other vegetation is growing or remaining in violation of the provisions of Section 1 of this Ordinance, or shall not have been cut, trimmed or removed as required by the said Section, such notice to direct and require 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 forty-eight (48) hours after issuance of such notice. In case any person, firm or corporation 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 any additional amount of ten per centum (10%) thereof may be collected by the Borough from such person, firm corporation, in the manner provided by law.

SECTION 4: Violations and Penalties.

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be punishable by a fine of not more than three hundred (\$300.00) Dollars and costs of such proceedings or, upon default of payment of such fine and costs, by imprisonment in the county jail for not more than thirty (30) days.

SECTION 5: Severability And Amendment

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance, so long as it remains workable minus the invalid portion.

SECTION 6: Repeal Of Conflicting Ordinances

The within Ordinance supercedes and repeals all former and/or provisions of this Ordinance and, to the extent that any prior or existing Ordinances of the Borough of Luzerne are inconsistent with the terms of the within Ordinance, said inconsistent Ordinances, or portions thereof, are hereby expressly repealed.

ADOPTED AND ENACTED this 12TH day of DECEMBER, 2012, at a regular meeting of the Borough Council of Luzerne held this 12TH day of DECEMBER, 2012.

ATTEST:

BOROUGH OF LUZERNE



Linda Booth, SECRETARY



MICHAEL JANCUSKA
CHAIRMAN OF COUNCIL

APPROVED:



JAMES KELLER, MAYOR