

**PERRY TOWNSHIP, LAWRENCE COUNTY
COMMONWEALTH OF PENNSYLVANIA
PERRY TOWNSHIP DISTRESSED RESIDENTIAL LOT
WEED CONTROL ORDINANCE
ORDINANCE NUMBER: 8-12-2010**

SECTION 1: PURPOSE

The purpose of this Ordinance is to promote the general health and safety of residents of Perry Township, Lawrence County, Pennsylvania, by requiring the mowing of distressed residential lots so as to control the spread of pollen, weeds, and also to maintain a more pleasant environment in residential areas, as well as to control the spread of rodents, snakes, and other undesirable forms of life which may prosper in unattended properties.

SECTION 2: AUTHORITY

This Ordinance is enacted under Section 66529 of the Second Class Township Code, concerning Nuisances, and also under Section 66517 of the Second Class Township Code concerning the Maintenance of Land.

SECTION 3: RESIDENTIAL LOT

For the purposes of this Ordinance, "Residential Lot" shall include any lot that is located in a residential neighborhood and is less than two acres in size.

SECTION 4: DISTRESSED RESIDENTIAL LOT

For purposes of this Ordinance the term "Distressed Residential Lot" shall include any residential lot, which meets one of the following criteria:

- A) Has been advertised for a tax sale and the owner is no longer mowing the property.
- B) Is in the process of a mortgage foreclosure action, and the owner of the property is no longer mowing the property.
- C) Has been purchased by the bank, or other individual at a mortgage foreclosure sale, and the owner is not mowing the property.
- D) Has been abandoned by the owner, and the owner is not mowing the property.

SECTION 5: REGULATIONS APPLICABLE TO DISTRESSED RESIDENTIAL LOTS

Each owner of a distressed residential lot shall keep the lot mowed so that grass, weeds or other vegetation does not exceed twelve (12) inches in height. This mowing requirement does not apply to any portion of a distressed residential lot that has been planted with an agricultural crop, provided the crop will be harvested during the calendar year.

SECTION 6: FAILURE TO MOW AS REQUIRED

In the event the owner of a distressed residential lot shall fail to mow such lot as required by this Ordinance, the Township shall send a notice to the owner at the property address, and the address of the owner as listed at the County Assessment Office, giving the owner ten (10) days from the date thereof to complete the required mowing. If the mowing is not done within the ten (10) day period, the Township shall have the right, but shall not be required to enter onto the Property and mow the lot as required by this

Ordinance, without liability to the owner for any damages which may occur to the property. The cost of the mowing, together with a penalty of ten (10%) percent, shall be paid by the owner within ten (10) days after receipt of a notice from the Township. If the owner fails to pay the cost of the mowing, and the ten (10%) percent penalty within ten (10) days, then the Township shall have the right to enter the cost of the mowing, plus the ten (10%) percent penalty, plus reasonable attorney's fees and costs, as a lien against the real estate, in the office of the Prothonotary of Lawrence County. Additionally, the Township has the right to file an action at the local District Justice Office to obtain a judgment against the owner of the property.

SECTION 7: ADDITIONAL REMEDIES

Any owner of a distressed residential lot, which shall fail to mow as required by the provisions of this Ordinance, shall also be subject to a penalty in the amount of \$300.00 for each and every offence. Each and every week that a distressed residential lot is not mowed in compliance with this Ordinance shall be considered a separate offence, and subject to an additional penalty of \$300.00. The Township shall also be permitted to collect the costs, and reasonable attorney's fees as part of any proceeding in front of the District Justice. Enforcement of this Ordinance may be done by the Township Solicitor, Township Supervisor, or a Code Enforcement Officer appointed by the Township.

SECTION 8: DEFINITION OF OWNER

For purposes of this Ordinance, owner shall be the owner of the property as listed on the Assessment Records of the Lawrence County Assessment Office.

THIS ORDINANCE WAS ADOPTED the 12th day of August, 2010 and shall be effective within five (5) days.

John Zias

Supervisor

SEAL

Tim Boots

Supervisor

Supervisor

Janice Marshall

Attest: