

ORDINANCE NO. 84

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HUNTINGDON, COUNTY OF WESTMORELAND, AND COMMONWEALTH OF PENNSYLVANIA, REGULATING THE GROWTH OF NOXIOUS WEEDS AND VEGETATION WITHIN THE TOWNSHIP OF SOUTH HUNTINGDON AND PRESCRIBING PENALTIES FOR VIOLATIONS.

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

SECTION I. No person, firm or corporation owning or occupying any property within the Township of South Huntingdon shall permit any grass or weeds or any vegetation whatsoever, not edible or not planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of twelve (12) inches; nor shall any noxious weeds, as herein defined and/or as defined or prohibited by the Noxious Weed Law or by regulations of the Department of Agricultural, be permitted to grow within the Township of South Huntingdon. Noxious weeds are defined as a plant that is determined to be injurious to public health, crops, livestock, agricultural land or other property. The following are considered noxious weeds:

- (1) *Cannabis sativa*, commonly known as marijuana.
- (2) The *Lythrum salicaria* Complex: Any nonnative *Lythrum* including, *Lythrum salicaria* and *Lythrum virgatum*, their cultivars and any combination thereof.
- (3) *Cirsium arvense*, commonly known as Canadian thistle.
- (4) *Rosa multiflora*, commonly known as multiflora rose.
- (5) *Sorghum halepense*, commonly known as Johnson grass.
- (6) *Carduus nutans*, commonly known as musk thistle.
- (7) *Cirsium vulgare*, commonly known as bull thistle.
- (8) *Datura stramonium*, commonly known as jimson weed.
- (9) *Polygonum perfoliatum*, commonly known as mile-a-minute.
- (10) *Pueria lobata*, commonly known askudzuvine.
- (11) *Sorghum bicolor* cv. *drummondii*, commonly known as shattercane.
- (12) *Heracleum mantegazzianum*, commonly known as Giant Hogweed.
- (13) *Galega officinalis*, commonly known as Goatsrue.
- (14) *Cichorium intybus*, commonly known as Chicory, succory or blue daisy.

SECTION II. Any grass, weeds or other vegetation growing upon any premises in the Township of South Huntingdon, in violation of any of the provisions of this Ordinance, is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Township of South Huntingdon.

SECTION III. The owner of any premises, or the occupant of premises occupied by other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises which are in violation of the provisions of this Ordinance.

SECTION IV. The Township of South Huntingdon, or any officer or employee of the Township designated thereby for this purpose, is hereby authorized to give notice, by

personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of this Ordinance above, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this Ordinance within fourteen (14) days after issuance of such notice. Whenever, in the judgment of the Ordinance Officer it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the Board of Supervisors or any officer or employee of the Township designated thereby for that purpose, may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within fourteen (14) days. 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 Board of Supervisors may order the removal, trimming or cutting of such grass, weeds or vegetation, and the cost thereof, together with a penalty of ten (10%) percent of the cost thereof shall be collected by the Township from such person, firm or corporation, in the manner provided by law.

SECTION V. Any person, firm or corporation who violates any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than SIX HUNDRED dollars (\$600.00), and in default of payment, to undergo imprisonment for a term not to exceed THIRTY (30) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

SECTION VI. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION VII. If any sentence, clause, section, or part of this ordinance is for any reason found to unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township of South Huntingdon that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of South Huntingdon on this 27th day of June, 2002.

TOWNSHIP OF SOUTH HUNTINGDON

Scott Painter
Chairman

ATTEST: Cindy Thorne
Secretary

CERTIFICATION

I, Cindy Thorne, duly qualified Secretary of the Township of South Huntingdon, Westmoreland County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 84 is a true and correct copy of the original Ordinance No. 84 duly passed and adopted by a majority vote of the Board of Supervisors of the Township of South Huntingdon at a duly advertised and convened regular meeting held on the 27th day of June, 2002, and that the minutes of said meeting showing how each member voted have been duly recorded in the official minutes of said Township of South Huntingdon and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Township of South Huntingdon, this 27th day of June 2002.

Certified to by:

A handwritten signature in black ink, appearing to read "Cindy Thorne", written over a horizontal line.

Secretary