

ORDINANCE NO. 242

An Ordinance restricting the growth of weeds in the Borough of Freeport and prescribing penalty for violation.

The Borough of Freeport hereby ordains as follows:

Section 1. Definition. "Weeds" as used in this ordinance shall include all rank vegetable growth which exhales unpleasant and noxious odors or pollen and also rank vegetable growth which may conceal filthy deposits or serve as breeding places for mosquitoes or other insects.

Section 2. Weeds Unlawful and a Nuisance Under Certain Conditions. No person owning or holding any real estate within the Borough shall permit noxious weeds or other undesirable vegetation, grasses, etc., to grow thereon to a height in excess of twelve (12) inches or to mature their seeds thereon, or fail to cut and destroy such weeds and other undesirable vegetation when notified by the Borough to do so. Such growth of weeds or other undesirable vegetation is declared to be a nuisance injurious to the public interest and public health.

Section 3. Notice of Violation and Order to Cut or Destroy Weeds. When determined through investigation by the Borough that weeds and other undesirable vegetation exceeding the height specified in Section 1 hereof exist upon any land within the Borough, the Borough shall issue a notice of violation to the owner of such land by certified mail, return receipt requested.

The notice of violation shall contain an order to cut or destroy the weeds or undesirable vegetation within seven (7) days.

Section 4. Authority for Borough to Remove, Trim or Cut Weeds at Expense of Owner or Occupant. In case any owner or occupant 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 weeds or other undesirable vegetation, and the cost thereof, together with any additional penalty authorized by law, may be collected by the Borough authorities from such defaulting owner or occupant, in the manner provided by law.

Section 5. Penalty for Violation. Any person who shall violate or fail, neglect or refuse to comply with any provision of this ordinance shall be guilty of a violation, and for each and every such violation, upon conviction thereof, shall be sentenced to pay a fine of not more than 50⁰⁰ dollars (\$50⁰⁰), and costs of prosecution, and, in default of payment thereof, to imprisonment for not more than ~~Ten~~ ^{FIVE} (~~10~~ ⁵) days. Provided: each day's violation shall constitute a separate offense and notice to the offender shall not be necessary in order to constitute an offense.

Enacted and ordained this 11 day of July, 1979

Kenneth L. Miller
President of Borough Council

Attest:

Elizabeth J. Costello
Secretary

Approved this 11 day of July, 1925

O.W. Brewster, Jr.
Mayor