

**READING TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE 2021 - ____

**AN ORDINANCE OF READING TOWNSHIP
PROVIDING FOR THE RESPONSIBILITY OF LANDOWNERS
TO REMOVE, CUT OR TRIM GRASS, WEEDS AND OTHER VEGETATION
IN AREAS ADJACENT TO PUBLIC ROAD RIGHTS-OF-WAY AND
SETTING PENALTIES FOR FAILURE TO DO SO**

WHEREAS, Reading Township owns and maintains a system of public roads throughout the Township; and

WHEREAS, pursuant to Pennsylvania's Second Class Township Code, 53 P.S. §§ 66506, 66529, the Township may establish regulations for removing, trimming or cutting grass, weeds and other vegetation; and

WHEREAS, the Board of Supervisors believes that the public health, safety, and welfare of all the residents of the Township will be better served and protected by the adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Reading Township:

Section 1. Purpose

The purpose of this Ordinance is to establish requirements for property owners to remove, trim or cut grass from areas adjacent to public rights-of-way.

Section 2. Enabling Authority

This Ordinance is enacted pursuant to the enabling authority of Sections 1506 and 1529 of the Second Class Township Code.

Section 3. Establishment of Requirement

The Reading Township Code of Ordinances, Ordinances, Chapter 21, Health & Safety, shall be amended as follows:

Part 1

Grass, Weeds and Other Vegetation Nuisances

Section 10-103 shall be amended by adding paragraphs 2 through 5 below:

§10-103 Responsibility for Removing, Cutting or Trimming

* * *

2. A landowner of property, regardless of whether improved upon or occupied, (i) abutting or upon which a sidewalk has been constructed shall remove, trim or cut grass, weeds and other vegetation between the sidewalk and a road right-of-way and (ii) shall remove, trim or cut grass between the property line and a curb.

3. For purposes of this Ordinance:

a. landowner means the title owner of the property, whether or not the actions subject to this Part were performed by the landowner or his contractor, agent or other person at the landowner's direction, under his control or for his benefit.

b. . sidewalk means the public improvement, intended for use by pedestrians, sited between the curb line of the street or, if no curbs exist, the outer edge of the cartway of the street, including such improvement located within or across a vehicular driveway, and (i) the adjacent property lines or (ii) within the property abutting the street.

4. The failure to remove, cut or trim grass, weeds or other vegetation in a manner which violates this Part shall constitute a public nuisance.

5. In the event an owner fails to remove, cut or trim grass, weeds or other vegetation as required by this Part, the Township, in its discretion, may cause the grass, weeds or other vegetation to be removed, cut or trimmed and, in the event of Township cutting, the cost thereof, including court costs and attorney's fees incurred by the Township, shall be the responsibility of the owner and collected from the owner by the Township as a municipal lien or as otherwise as authorized by law or equity.

Section 10-106 shall be amended to read in its entirety as follows:

§10-106 Penalties for Violation

A landowner who violates any provision of this Part shall commit a summary criminal offense and, upon conviction by a Magisterial District Justice, shall be subject to a fine of not less than \$50.00 nor more than \$500.00 plus costs to the extent allowed by law and, in default thereof, undergo imprisonment for a period not exceeding 30 days. Each day of a violation, and each separate violation of this Part, shall be considered a separate violation. Any violation of this Part also may be enforced by the Township through an equity suit for specific performance in the Court of Common Pleas. The landowner shall be responsible for all costs, including but not limited to court costs and attorney's fees incurred by the Township.

Section 4. Repealer.

All other ordinances of Reading Township that conflict with this Ordinance are hereby repealed. All other ordinances of the Township not specifically amended or repealed hereby shall remain in full force and effect.

Section 5. Severability.

In the event that a court of competent jurisdiction declares any section, provision, clause or term of this Ordinance invalid, such decision shall not affect the validity of any of the remaining portions of the Ordinance.

Section 6. Effective Date

This Ordinance shall become effective five days from the date of enactment.

ENACTED this ____ day of _____, 2021.

BOARD OF SUPERVISORS
READING TOWNSHIP,
ADAMS COUNTY, PENNSYLVANIA

ATTEST:

Kimberly Beard, Secretary

Kevin Holtzinger, Chairman

Gregory Heefner, Vice-Chairman

Jason Phillips, Supervisor