

ORDINANCE 04-2016

AN ORDINANCE OF THE BOROUGH OF ALBION RELATING TO MAINTENANCE OF PROPERTIES WITHIN THE BOROUGH IN REGARD TO CUTTING OF GRASS, WEEDS OR OTHER VEGETATION; THE REMOVAL OF SNOW FROM SIDEWALK AREAS; PROHIBITING THE STORAGE OF JUNK; PROVIDING FOR REMEDIAL ACTION BY THE BOROUGH IN SPECIFIED SITUATIONS; AND PRESCRIBING PENALTIES FOR VIOLATION OF THE REGULATIONS.

BE IT ENACTED AND ORDAINED by the Borough of Albion as follows:

SECTION 1.

- A) Any person, firm or corporation, owning any property within the Borough, shall as provided in this Ordinance, trim or cut all grass or weeds or other vegetation whatsoever, not planted or used for some agricultural or ornamental purpose. So such person, firm, or corporation shall not be permitted to grow upon property owned by it any grass, weeds, or other vegetation which does emit any unpleasant or noxious odor or which does conceal any filthy deposit. Any grass, weeds or other vegetation growing upon any premises 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.
- B) The owner of a property shall remove, trim or cut to height of eight inches or less, all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of this Ordinance.
- C) The Borough Council or any officer or employee of the Borough designated thereby for the purpose, is hereby authorized to give notice, by personal service, by United States Mail or by posting the property, to the owner of any premises whereon grass, weeds, or other vegetation growing or remaining in violation of the provisions of this Ordinance, directing and requiring such owner to remove, trim or cut such grass, weeds or vegetation, so as to conform to the requirements of this Ordinance, within five days after the 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 vegetation, and the cost thereof, together with any additional penalty authorized by the Law, may be collected by the Borough from such person, firm or corporation, in the manner provided by Law.
- D) Borough Council does not intend to prohibit property owners from growing ornamental or fruit bearing vegetation and therefore this Ordinance shall not pertain to such vegetation that would be reasonably considered such.

SECTION 2.

Any person, firm, or corporation owning any property within the Borough shall remove all accumulation of snow or ice from the sidewalk within 24 hours after the ceasing of the snowfall or ice storm, or the formation of ice. No person, firm, or corporation, shall deposit or cause to be deposited any snow, ice, hail, or sleet upon any plowed portion of a Borough street or road. The Borough Council or any officer or employee of the Borough designated thereby for the purpose, is hereby authorized to give notice, by personal service, by United States Mail or by posting the property, to the owner of any premises informing the owner that he is in violation of the provisions of this Section 2, and ordering said owner to comply with such notice within one day, the Borough authorities may clear the premises of all snow or ice, and the cost thereof, together with any additional penalty authorized by the Law, may be collected by the Borough from such person, firm or corporation, in the manner provided by Law.

SECTION 3.

No person, firm, or corporation owning property within the Borough shall permit the accumulation or storage of any junk on said property. For the purpose of this Ordinance, the term "junk" shall include any discarded material or article including, but not limited to, scrap metal, scrapped, abandoned or junked machinery; and paper or glass waste. Junk shall not include refuse or garbage kept in a proper container for the purpose of prompt disposal.

SECTION 4.

- A) Upon written complaint of a violation of Section 1, Section 2, or Section 3: in person, by delivery, or via electronic mail; by any resident of Albion Borough, the designated Code Enforcement Officer of the Albion Borough Police Department shall investigate the claim and issue citations as appropriate.
- B) Any person, firm or corporation which shall violate or fail, negligent or refuse to comply with any of the provisions of this Ordinance, shall, upon conviction of a summary offense by a District Justice be fined not less than \$25.00 nor more than \$300.00 for each offense, shall be ordered to pay the Borough any costs incurred by the Borough as provided in Section 1 and 2 above, together with the costs of this action, and in default of payment thereof, be committed to the County Prison for a period not exceeding thirty days.

SECTION 5.

Should any section or provision of this Ordinance be declared to be invalid by the courts, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provisions of the Ordinance than the one so

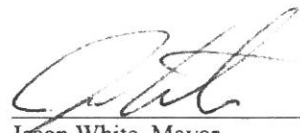
declared.

SECTION 6.

All other ordinances or parts of ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect. This Ordinance shall take effect upon passage by Albion Borough Council and approval by the Mayor.

ATTEST:


Christine Butler-Coon Secretary/Treasurer


Jason White, Mayor