

**AN ORDINANCE OF THE TOWNSHIP OF EAST COCALICO CONCERNING THE GROWTH OF GRASS, WEEDS, AND OTHER VEGETATION REQUIRING TRIMMING AND CUTTING THEREOF UNDER CERTAIN CIRCUMSTANCES AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

**WHEREAS**, in order to continue to promote the health, safety, and welfare of the citizens of East Cocalico Township, Lancaster County, Pennsylvania, the Board of Supervisors of the Township believes that it is in the best interest to control noxious and unsightly weeds; and

**WHEREAS**, lawns should be mowed frequently so as not to allow grass to grow excessively long.

**NOW, THEREFORE IT IS HEREBY ENACTED AND ORDAINED BY THE SUPERVISORS OF THE TOWNSHIP OF EAST COCALICO AS FOLLOWS:**

**SECTION 1. DEFINITIONS** - The following words as described in this Ordinance shall have the following meanings:

- A.** "Person" - Any natural person, partnership, association, firm, or corporation.
- B.** "Weeds" - Any Canadian or Russian thistle, chicory, bordock, nettle, poison ivy, summac, goldenrod, wild lettuce, wild mustard, wild parsley, ragweed, milkweed, or any other plant or vegetation whatsoever, not edible or planted for an ornamental or agricultural purpose.
- C.** "Township" - Township of East Cocalico

**SECTION 2.** Every person, owning or occupying any premises within the Township, upon which premises any grass or weeds in excess of six (6) inches in height is growing, shall cut or remove such grass or weeds or cause the same to be cut or removed, on or before May 1, June 1, July 1, August 1, September , and October 1 of each calendar year.

**SECTION 3.** Exceptions to the requirements of the Ordinance are the following: trees, whether coniferous or deciduous, shrubs, flower beds or gardens, vegetables, wildflower gardens, seasonal and ornamental grasses, wetlands, woodlands and forested areas, areas within fifteen (15) feet of a stream or pond and land actively cultivated in crop production or engaged in farming or animal husbandry including, but not limited to, growing grain in excess of six (6) inches which will be cut and harvested for hay or other agricultural purposes.

**SECTION 4.** The Zoning Officer or Assistant Zoning Officer, upon ascertaining that grass or weeds are growing in violation of this Ordinance, shall give written notice by first-class mail or certified mail, return receipt requested, to the owner or occupant of the premises whereon such grass and weeds are in violation of the provisions of this Ordinance, and shall direct the owner or occupant to cut or remove all such grass or weeds so as to conform to the requirements of this Ordinance within seven (7) days. When the notice has been forwarded to the owner or occupant of the premises, in accordance with this Section, such notice shall be deemed to be sufficient notice that the owner or occupant is in violation of this Ordinance. Thereafter, in the event that the owner or occupant of the premises fails to comply with this Ordinance and allows grass or weeds in excess of six (6) inches in height, the Township may bring an appropriate action before the District Justice for a violation of this Ordinance without any further notices being mailed by the Zoning Officer or Assistant Zoning Officer.

**SECTION 5.** In case any person shall neglect, fail, or refuse to comply with such notice within the period of time stated therein, the Township may cause such grass or weeds to be removed or cut, and the thereof, together with any penalty authorized by law, may be collected from such person in the manner provided by law.

**SECTION 6.** Any person who shall fail, neglect, or refuse to comply with any of the provisions of this Ordinance shall, upon conviction thereof before any District Justice, be sentenced to pay a fine or penalty of not more than One Thousand Dollars (\$1,000.00) and costs of prosecution, and in default of payment of such fine or penalty and costs, to undergo imprisonment to the extent allowed by law for the

punishment of summary offenses. Provided, however, each day's violation shall constitute a separate offense.

**SECTION 7.** All Ordinances or parts of Ordinance conflicting with the provisions of this Ordinance are hereby repealed.

**SECTION 8.** This Ordinance shall become effective five (5) days after its enactment.

**ENACTED AND ORDAINED** this 21st day of November, 2001.

**ORDINANCE NO. 2007-01 - AMENDMENT TO ORDINANCE NO 2001-08**

**AN ORDINANCE AMENDING ORDINANCE NO. 2001-08 REGULATING THE GROWTH OF GRASS, WEEDS, AND OTHER VEGETATION REQUIRING TRIMMING AND CUTTING THEREOF UNDER CERTAIN CIRCUMSTANCES BY REVISING THE EXCEPTIONS TO THE REQUIREMENTS OF THE ORDINANCE.**

**WHEREAS,** East Cocalico Township enacted a Zoning Ordinance on December 8, 2003, which contains provisions for required riparian buffers; and

**WHEREAS,** areas within required riparian buffers should not be subject to the provisions of the Weed Ordinance.

**NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED** by the Supervisors of the Township of East Cocalico as follows:

**SECTION 1.** Section 3 of Ordinance No. 2001-08 is hereby deleted and the following is substituted therefore:

"Exceptions to the requirements of the Ordinance are the following: trees, whether coniferous or deciduous, shrubs, flower beds or gardens, vegetables, wildflower gardens, seasonal and ornamental grasses, wetlands, woodlands and forested areas, areas within fifteen (15) feet of a stream or pond, areas within required riparian buffers, and land actively cultivated in crop production or engaged in farming or animal husbandry including, but not limited to, growing grain in excess of six (6) inches which will be cut and harvested for hay or other agricultural purposes."

**SECTION 2.** Ordinance No. 2001-08 is amended in no other way.

**SECTION 3.** All Ordinances, or parts of Ordinances, conflicting with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** This Ordinance shall become effective five (5) days after its enactment.

**ENACTED** this 17th day of January, 2007.