

**BOROUGH OF WIND GAP
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 402

AN ORDINANCE OF THE BOROUGH OF WIND GAP, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, REGULATING THE EXCESSIVE GROWTH OF WEEDS AND OTHER VEGETATION WITHIN THE BOROUGH OF WIND GAP.

Be it enacted and ordained by the Council of the Borough of Wind Gap, County of Northampton, and Commonwealth of Pennsylvania; as follows:

1. The basis of this Ordinance is the general police powers given to the Borough of Wind Gap by the Borough Code of the Commonwealth of Pennsylvania at 53 Pa. C.S.A. 4602.2, including but not limited to, the power to prohibit nuisances and the power to make regulations for the safety, comfort, and general welfare of the Borough and its residents.
2. It shall be unlawful for any owner of real property situate within the Borough of Wind Gap to permit excessive vegetation to grow, be, or remain upon private property and/or public thoroughfares adjacent to private property. Excessive vegetation is defined as any grass, weeds, bushes, brush, saplings, or similar

vegetation not edible or planted for some useful ornamental purpose, exceeding six (6) inches in height.

3. Any person or entity owning real estate within the Borough of Wind Gap upon which excessive vegetation has been permitted to grow, shall be given reasonable notice to cut and remove said vegetation by the Police Department of the Borough of Wind Gap. This reasonable notice shall be written and may be in the form of a hand-delivered written warning or in the form of a written warning mailed to the property owner at his last known address via regular mail and certified mail, return receipt requested.

4. If, after one warning in accordance with this Ordinance, excessive vegetation is not cut and removed by the property owner within seven (7) days after receipt of such warning, the Borough of Wind Gap may proceed to enter onto the privately owned real property and cut and remove the excessive vegetation. The cost of this removal plus twenty (20%) percent shall be chargeable against the real property owner and shall be collected by any manner as provided by law, including the filing of a municipal lien against the real property, if the costs remain unpaid for a period of thirty (30) days after demand for payment has first been made to the real property owner by the Borough. Demand for payment shall be made in writing via personal hand-delivery

or via first-class mail and certified mail, return receipt requested that will be chargeable to the real property owner.

5. In addition, the Police Department of the Borough of Wind Gap may issue a citation and institute summary proceedings against any person who shall violate the provisions of this Ordinance.

6. Any person who shall violate the provisions of this Ordinance, shall, upon conviction in a summary proceeding, be sentenced to pay a fine not exceeding Three Hundred (\$300.00) Dollars, plus interest and costs of prosecution.

7. In the event that any provision, section or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section or part of this Ordinance.

8. All other Ordinances inconsistent herewith are hereby superseded, including, but not limited to, Ordinance Nos. 114 and 311.

ORDAINED AND ENACTED into an Ordinance this 4th day of

August, 1997.

ATTEST:

BOROUGH OF WIND GAP

Doris Bruch
Doris Bruch, Secretary

Thomas Wills, Sr.
Thomas Wills, Sr., President

APPROVED this 4th day of August, 1997.

ATTEST:

BOROUGH OF WIND GAP

Doris Bruch
Doris Bruch, Secretary

Kenneth L. George
Kenneth L. George, Mayor