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**PART 1**

**GRASS, WEEDS AND OTHER VEGETATION**

**§10-101. Vegetative Growth Restricted.**

No person, firm or corporation owning or occupying any property within the Borough of Philipsburg shall permit any grass or weeds to grow or remain upon such premises so as to exceed a height of six inches or to throw off any noxious odor to conceal any filthy deposit. Any grass or weeds growing upon any premises in the Borough in violation of any of the provisions of this Part is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough.

(Ord. 417, 8/5/1958, §1; as amended by Ord. 888, 3/2/1981, §1; and by Ord. 964, 7/8/1996)

**§10-102. Responsibility of Owner or Occupant.**

The owner of any premises, as to vacant premises or premises occupied by the owner and the occupant thereof, in case of premises occupied by other than the owner thereof shall remove, trim or cut all grass or weeds growing or remaining upon such premises in violation of the provisions §10-101 of this Part.

(Ord. 417, 8/5/1958, §2; as amended by Ord. 964, 7/8/1996)

**§10-103. Notice to Remove, Trim or Cut; Borough May Do Work and Collect Cost.**

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 or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass or weeds is growing or remaining in violation of §10-101 of this Part, directing and requiring such occupant to remove, trim or cut such grass or weeds so as to conform to the requirements of this Part, within five days after 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 or weeds and the cost thereof, together with 10% of such cost may be collected by the Borough from such person, firm or corporation in the manner provided by law.

(Ord. 417, 8/5/1958, §3; as amended by Ord. 888, 3/2/1981, §1; and by Ord. 964, 7/8/1996)

## HEALTH AND SAFETY

### **§10-104. Exceptions.**

This Part shall not apply to vegetation which is generally considered edible or planted for some useful or ornamental purpose.

(Ord. 417, 8/5/1958; as added by Ord. 964, 7/8/1996)

### **§10-105. Obstructions to Visibility; Responsibility to Trim.**

1. No person shall plant or maintain any vegetation at any location where such vegetation restricts visibility at intersections, sidewalks or driveways.
2. Every owner of property in the Borough of Philipsburg shall be required to keep the limbs, branches and foliage of all trees growing upon such property which are adjacent to a street, sidewalk or alley trimmed so that no part of such limbs or branches or of the foliage growing thereupon shall have a clearance of less than eight feet above the surface of the sidewalk or of less than 12 feet above the surface of the roadway of any street or alley below such branches.
3. Any cutting or trimming of vegetation within the right-of-way of a state highway shall require a vegetation management permit from PennDOT, and such work shall be performed in accordance with PennDOT regulations.<sup>1</sup>

(Ord. 417, 8/5/1958; as added by Ord. 964, 7/8/1996; as amended by A.O.)

### **§10-106. Responsibility to Remove.**

It shall be the responsibility of every property owner upon whose property a tree or trees are located to promptly remove any tree or portion thereof which is diseased or damaged to such an extent as to endanger persons or property because said tree or portion thereof is likely to fall or because said tree is likely to spread disease to other trees. When trees are removed for any reason no stumps shall be left which exceed six inches in height and all debris will be promptly removed.

(Ord. 417, 8/5/1958; as added by Ord. 964, 7/8/1996)

### **§10-107. Notice of Violation.**

Any person found to be in violation of any provision of this Part shall receive written notice from the Borough which shall specify the time in which said violation must be corrected. Following expiration of such time limit, the Borough Council shall have the authority to cause the work required to be done by the Borough or under contract with

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<sup>1</sup> Editor's Note: Copies of the permit application form and regulations are available from the Borough Secretary.

the Borough and the Borough shall collect the cost of such work, with an additional amount of 10% from such property owner in default.

(Ord. 417, 8/5/1958; as added by Ord. 964, 7/8/1996)

**§10-108. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 417, 8/5/1958, §4; as amended by Ord. 888, 3/2/1981, §1; and by A.O.

