

**SUMMIT TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-1

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF SUMMIT TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA AMENDING THE SUMMIT TOWNSHIP HOUSING, BUILDING & PROPERTY MAINTENANCE CODE, ORDINANCE NO. 2004-2, TO REVISE THE WEED CONTROL REGULATIONS.

WHEREAS, the Summit Township Board of Supervisors has the authority under the Second Class Township Code to regulate property maintenance and to prevent nuisances; and

WHEREAS, the Summit Township Board of Supervisors has determined that regulations are necessary to control the growth of weeds in populated areas to protect the public health, safety, and welfare; and

WHEREAS, the Summit Township Board of Supervisors finds it necessary to amend the existing weed control regulations to ensure that it does not unnecessarily interfere with agricultural operations within the Township;

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of Summit Township, Crawford County, Pennsylvania, as follows:

SECTION 1: Section 1407 of the Summit Township Housing, Building & Property Maintenance Code, Ordinance 2004-2, is hereby amended to read in its entirety as follows:

Section 1407. Control of Weeds. The owner or occupant of a building, occupied for residential or business purposes and which is located within 100 feet of any other building intended for residential or business use or occupancy or within 100 feet of a public road right of way, shall keep all portions of the ground area on which the building is located, which lay between the roadway and the subject building or between the adjacent building and the subject building, free from weeds in excess of ten (10) inches in height.

In addition, all areas surrounding the subject building, to a distance of 50 feet from the subject building, shall be maintained free from weeds in excess of ten (10) inches in height.

This Section 1407 shall not apply in areas zoned agricultural pursuant to the Summit Township Zoning Ordinance in effect at the time of the alleged violation or where the subject building is used primarily for agricultural purposes.

The owner of a vacant lot or parcel shall also be required to keep the property free of weeds in excess of ten (10) inches where the parcel is located within 100 feet of a building used for residential or business purposes by an adjoining property owner or occupant, unless the vacant lot or parcel is used for agricultural purposes.

The owner or occupant of the building which is subject to the regulations imposed by this Section 1407 shall be responsible to bring the surrounding property into compliance with this Section 1407. In the event that a building owner or occupant allows his or her property to violate Section 1407, the owner or occupant shall be subject to the penalties imposed by Article 16 of the Housing, Building & Property Maintenance Code.

The Summit Township Housing Code Inspector shall not institute an enforcement proceeding under this section unless the owner or occupant of the subject building has been given an opportunity to correct the violation by notification at least ten (10) days in advance.

The owner and occupant of the building shall be jointly and severally liable for violations.

SECTION 2: The definition of "Weeds" in Section 105 of the Summit Township Housing, Building & Property Maintenance Code, Ordinance 2004-2, is hereby amended to read in its entirety as follows:

Weeds – means any grasses, annual plants and vegetation, other than trees or shrubs. It shall not include cultivated flowers, gardens, or agricultural crops.

SECTION 3: Savings Clause. All other provisions of the Summit Township Housing, Building & Property Maintenance Code, Ordinance 2004-2, shall remain as previously enacted and ordained.

SECTION 4: Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

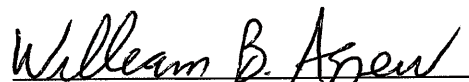
SECTION 5: Effective Date. This Ordinance shall take effect in ten (10) days.

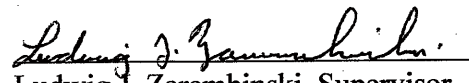
ENACTED AND ORDAINED on this 2nd day of May, 2023.


ATTEST:

SUMMIT TOWNSHIP BOARD OF SUPERVISORS


Robert Moore, Secretary


William B. Agnew, Chairman


Ludwig J. Zarembinski, Supervisor


Jerauld L. Smith, Supervisor