

ORDINANCE NO. 10-1
(AMENDING ORDINANCE NO. 76, CODIFIED CHAPTER 10)

AN ORDINANCE OF THE BOROUGH OF CONNOQUENESSING, COUNTY OF BUTLER, COMMONWEALTH OF PENNSYLVANIA, AMENDING ITS HEALTH AND SAFETY ORDINANCE, ORDINANCE NO. 76, CODIFIED AS CHAPTER 10, IN THE CODE OF ORDINANCES OF THE BOROUGH OF CONNOQUENESSING, SECTIONS 301 RELATING TO THE HEIGHT OF WEEDS UNDER CERTAIN CONDITIONS.

BE IT ENACTED AND ORDAINED by the Borough of Connoquenessing, County of Butler, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

WHEREAS, the purpose of this Ordinance is to promote the general health, safety, welfare, cleanliness and comfort of the residents of Connoquenessing Borough, Butler County, Pennsylvania; and

WHEREAS, the Borough of Connoquenessing wishes to amend the Ordinance to allow persons, firms, or corporations, owning or occupying any property located in an Agricultural District within the Borough to be permitted to have vegetation in excess of twelve (12) inches, with the exception that noxious weeds as determined by the Noxious Weed Control Law, 3 P.S. §255.8, are not permitted; and

WHEREAS, this Ordinance is enacted pursuant to the authority contained in the Borough Code, Act of February 1, 1965, P.L. 1656, No. 581, as amended, 53 P.S. 47001 et seq.

NOW THEREFORE, it is hereby enacted and ordained as follows:

1. Connoquenessing Borough's Health and Safety Ordinance, codified as Chapter 10, Part 3, Section 301, Subsection 1 (§10-301) in the Code of Ordinances of the Borough of Connoquenessing is hereby amended to read as follows:

§10-301. Vegetative Growth a Nuisance Under Certain Conditions.

1. No person, firm, or corporation, owning or occupying any property within the Borough shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to

grow or remain upon such premises so as to exceed a height of 12 inches, with the following exception:

A. All owners of property located in an Agricultural District are permitted to have vegetation in excess of twelve (12) inches so long as the vegetation is not considered noxious weeds and is not prohibited by the Noxious Weed Control Law (3 P.S. §255.8).

2. Any noxious weeds prohibited by the Noxious Weed Control Law, 3 P.S. §255.8, or by regulations of the Department of Agriculture are not permitted to grow within the Borough, including:

- A. Marijuana;
- B. Chicory, succory, or blue daisy;
- C. Canadian thistle;
- D. Multiflora rose;
- E. Johnson grass;
- F. Musk thistle;
- G. Bull thistle;
- H. Jimson weed;
- I. Mile-a-minute;
- J. Kudzuvine; and
- K. Shattercane.

3. Any grass, weeds, or other vegetation growing upon any premises in the Borough in violation of any of the provisions of this Section are hereby declared to be a nuisance and detrimental to the health, safety, cleanliness, and comfort of the inhabitants of the Borough.

2. All of the terms and conditions of the Health and Safety Ordinance, codified as Chapter 10 of the Code of Ordinances of the Borough of Connoquenessing, not inconsistent herewith, are hereby affirmed, restated and incorporated herein by reference.

3. If any section, subsection, sentence, or clause of this ordinance is held, for any reason, to be invalid, illegal, or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

4. All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

DULY ENACTED AND ORDAINED this 7th day of April, 2009.

CONNOQUENESSING BOROUGH

By: *Lloyd L Leslie*
President

Curtis W. Harter
Mayor

ATTEST:

Vickie L. [Signature]
Borough Secretary