

Weed Control Ordinance

§ 183 10. Weed control.

A. It shall be unlawful for any person, firm, corporation, partnership, association of persons, owner, agent, occupant or anyone having supervision or control of any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the corporate limits of the City of Hazleton to suffer or permit grass, weeds or brush that is uncultivated to grow to a greater height than 10 inches on any lot, tract, parcel or land within the corporate limits of the City of Hazleton, five acres in size or less. On tracts of land more than five acres, it shall be unlawful to suffer or permit grass, weeds or brush in excess of 10 inches in height to grow uncultivated within 100 feet adjacent to and along any dedicated public way within the corporate limits of the City of Hazleton or within 100 feet on either side of any lot that is occupied by a residence or business.

B. Notice to property owners; annual notice.

- (1) When any violation of this article is found to exist, a notice by letter will be addressed to the owner of the property in question; or, if the address of the property owner is unknown, then notice may be given by publication one time in a local, daily newspaper of general circulation.
- (2) Annual notice may be given to property owners, as above provided, prior to the grass growing season. A notice published in a local newspaper with wide circulation shall suffice.
- (3) Upon the giving of said notice, no further notice shall be required pursuant to this article.

C. Official notice of violation. The notice of violation shall contain the following wording:

"You are required to maintain your property so as to keep grass, brush and weeds at a height of less than 10 inches; "In the event you fail to do so, the City of Hazleton will enter upon your property and mow it or have it mowed at thirty day intervals during such annual growing season; "You have 10 days from the date of this notice to correct the violation; and "Tall weeds are a breeding ground for rats and mice, and are a source of fuel for many fires. Help us clean up the City of Hazleton."

D. Action by the City of Hazleton. In addition to court action, the City of Hazleton may enter upon the property found in violation of this article and mow or have said property mowed, at thirty day intervals during such annual growing season in the event such owner fails to mow same.

E. Assessment of the City of Hazleton expenses. Expenses incident to the action taken by the City to correct any condition coming under the provisions of this article, which includes a service fee to cover administrative costs, plus a penalty charge of \$10, shall be assessed against the owners of all outstanding interest in the lot or parcel of land involved. The City of Hazleton accountant shall mail an itemized bill of such costs to each such owner if his address is known.

F. City of Hazleton expenses declared a lien; recovery.

- (1) If the bill for the City of Hazleton expenses in correcting any condition coming under the provisions of this article, including the administrative and penalty charges, shall remain unpaid for a period of 30 days after the date of the mailing of such bill, the City of Hazleton accountant shall file a statement of such bill, and the reasons thereof, with the Council Clerk.
- (2) From the date of such filing, the City of Hazleton shall have a lien on the lot or parcel upon which expenses are incurred second only to tax liens and liens for street improvement. The amount of such debt shall accumulate interest at the rate of a 10% per annum from the date on which payment was due. For any such debt and interest, suit may be instituted and recovery and foreclosure had in the name of the City. In such suits the aforementioned statement or certified copy thereof shall be deemed prima facie evidence of the debt and interest thereof.