

CHAPTER 225

Cutting of grass, weeds, sidewalk maintenance, and sidewalk use

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ARTICLE I

Regulating grass and weed length within the Borough; and establishing penalties for violation.

§ 225-1. Purpose.

This article shall be applicable to all of those portions of properties within Linesville Borough which lie within 300 feet of a public street or within 150 feet of any structure; this shall include the area between the edge of road and sidewalk and along curb areas.

§ 225-2. Property Owner/Occupant Responsibility.

No person, firm, or corporation owning or occupying any property or any agent having charge of a property within the area set forth in 225-1 and the scope thereof shall permit any grass, weeds, or other vegetation whatsoever not edible or planted for some useful or ornamental purpose, or being the type of vegetation normally classified as trees, to grow or remain on such premises as to exceed 6 inches, or create any unpleasant or noxious odor, or to conceal any

filthy deposit, garbage, rubbish, or to create or produce pollen. Any grass, weeds, or other vegetation growing upon any premise in the above described area in violation of the provisions of this article is hereby declared to be a nuisance and detrimental to the health, safety, and comfort of the inhabitants of the Borough of Linesville.

No person, firm, or corporation owning or occupying any property or any agent having charge of a property shall permit or cause any tree, shrub, bush, or any other vegetation to be planted between the sidewalk and edge of road other than normal grass.

§ 225-3 Inspection and notice

The Linesville Borough Police Department, Mayor of Linesville Borough, or any person appointed by Linesville Borough Council are hereby authorized to give notice by personal service or by United States mail postage prepaid, to the owner or occupant or any agent having charge of a property, as the case may be, of any premise whereon grass, weeds, or other vegetation is growing or remaining in violation of the provisions of this article directing and requiring such owner, occupant, or any agent having charge of a property to remove, trim, or cut such grass, weeds, or other vegetation so as to conform to the requirements of this article within 5 days after issuance of such notice. Notice shall be considered validly issued as of the date of personal service or upon depositing the same in the United States mail, postage prepaid.

Upon issuance of notice of violation, such notice shall be in effect for the remainder of the calendar year in which it was issued. No further notice shall be required prior to issuing a citation in that calendar year.

§ 225-4. Enforcement and Penalties

Any person, firm, corporation, owner, occupant or any agent having charge of a property who or which violates, fail, neglect, or refuse to comply with any provisions of this article shall, upon conviction thereof in a summary proceedings pay a fine of \$25.00 for first offense and \$50 for second and any subsequent offense, plus the costs of prosecution, provided that each days violation shall constitute a separate offense and notice to the offender shall not be required in order to constitute an offense.

§ 225-5. General.

The provisions of this Article 1 are intended to provide additional enforcement and remedies to the Borough in addition to those provided in Chapter 178 regarding Property Maintenance. Nothing contained herein is intended to repeal or render ineffective the provision of Chapter 178 regarding Property Maintenance. The Borough of Linesville specifically reserves all rights contained in Chapter 178 regarding Property Maintenance and shall be entitled to enforce and prosecute under the provision under this Article 1 and/or the provisions contained in Chapter 178 regarding Property Maintenance.

ARTICLE 2

Borough of Linesville regulating sidewalk maintenance withing the Borough; and establishing penalties of violation.

§ 225-6. Property Owner/Agent Responsibility.

The removal of leaves, tree limbs, grass clippings, debris, cinders, gravel, grits or any other refuse on such sidewalk or projecting branches and other obstruction below 7 feet above the sidewalk. The property owner or any agent having

charge of a property shall be responsible for the prompt removal of any such items. The sweeping or removal of such items onto Borough streets or State Highways is prohibited.

§ 225-7. Removal of snow and ice.

It shall be the duty of the owner or any agent having charge of a property of every property adjoining a public sidewalk to keep that sidewalk free of snow and ice within 24 hours after the end of a snowfall. However, at no time shall the snow or ice be permitted to accumulate more than 6 inches deep before removal between the hours of 8 am and 8 pm.

§ 222-8 Authority for Borough to remove snow, ice, debris, and other material and collect cost plus 25%

Should snow, ice, dirt, debris or other material accumulate or be placed on any sidewalk in violation of 218-6 of this Article, the appropriate Borough officers of the Borough of Linesville may cause the same to be removed as the abatement of a nuisance and may collect the cost thereof, together with a penalty of 25% of such cost, plus interest, by filing a municipal lien or in any manner provided by law for the collection of municipal claims or by action of assumption or may seek relief by bill in equity.

§ 225-9. Violation and Penalties.

Any person who violates any of the provisions herein shall, upon conviction before any Magisterial District Judge of the County, be punishable by a fine of not less than \$25.00 and no more than \$300.00 and cost of prosecution for each offense. Each day said violation is continued shall constitute a new and separate offense. This shall be enforced by the Linesville Borough Police Department or other duly appointed official of the Borough.

ARTICLE 3

Borough of Linesville regulation riding bicycles and other recreational equipment on sidewalks.

§ 225-10. Riding on sidewalks prohibited in certain areas.

It shall be unlawful for any person to ride, an/or use, any bicycle, tricycle, unicycle, skateboard, scooter, rollerblades or roller skates, upon any sidewalk or foot walk which may now, or hereafter, exist within a right-of-way lines of any Borough streets in an area bounded on the north by the south line of Mill Street; on the East by the East wall of the Linesville Borough building (103 West Erie Street); on the South by the north line of Phoenix Alley and its extension to the East and West boundaries; and on the West by the East wall the Linesville Fire Department building (200 Penn Street).

§ 225-11. Exemptions.

Excluded from this are wheelchairs, electric scooters, or any other such devices used by the disabled as modes of transportation, in accordance with the Americans with Disabilities Act. Also exempt from this article are toddlers age four and under on wheeled vehicles when accompanied by, and in control of, adults and children in wagons when pulled by adults.

§ 225-12. Violations and Penalties.

Any person violating the provisions of this Article shall for a first offense receive a verbal or written warning, for the second and subsequent offense shall be fined not less than \$25.00 but no more than \$50.00 plus the costs of prosecution. This shall be enforced by the Linesville Borough Police Department or other duly appointed official of the Borough.

Except for the provisions contained in Chapter 178 (Property Maintenance) of the Code of Linesville Borough, and as specifically referenced in Article 1 § 225-5, all ordinances and/or parts of ordinance inconsistent here within are hereby repealed. This Ordinance shall take effect immediately upon passage thereof.

ORDAINED and ENACTED this 14 day of September 2021.

Attest:



Amanda Harper, Borough Secretary



Kevin McGrath, Council President



David Hoogstad Sr., Borough Mayor



LEGAL NOTICE

NOTICE OF INTENT TO ADOPT ORDINANCE
BY THE BOROUGH OF LINESVILLE

NOTICE is hereby given that the Borough of Linesville intends to consider the passing of a proposed Ordinance to be known as "**An Ordinance Adding Chapter 225 to the Code of Linesville Borough Regarding the Cutting of Grass, Weeds and Sidewalk Maintenance and Bikes**". The proposed Ordinance adds Chapter 225 to the Code of Linesville Borough to regulate grass and weed length within the Borough, regulate sidewalk maintenance within the Borough, and regulate the operating and riding of bicycles and other recreational equipment on sidewalks within the Borough. Council of the Borough of Linesville shall consider the passing of this Ordinance at its August 8, 2017 meeting at 7 p.m. at the Linesville Borough Building located at 103 West Erie Street, Linesville, Pennsylvania. A copy of this proposed ordinance may be examined and is located with Karen Moss, Secretary, 103 West Erie Street, Linesville, Pennsylvania; The Meadville Tribune, 947 Federal Court, Meadville, Pennsylvania; and The Crawford County Law Library, Crawford County Courthouse, Second Floor, Meadville, Pennsylvania.

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