

SECTION 1. NAME

This ordinance shall be known as the “**Peach Bottom Township Distressed Residential Lot Weed Control Ordinance**”.

SECTION 2. PURPOSE

It is hereby declared that the purpose and intent of this ordinance is to promote the general health, welfare and safety of residents of Peach Bottom Township, York County, Pennsylvania by requiring the mowing of distressed residential lots so as to control the spread of pollen, the spread of noxious weed seed, the maintenance of a pleasing, aesthetic environment in residential areas and the control of rodents, snakes and other undesirable forms of life which develop in unattended properties.

SECTION 3. FINDINGS OF FACT

The Peach Bottom Township Board of Supervisors find that the owners of residential properties during the period when their properties are in the process of foreclosure and financial institutions and investors following purchase at foreclosure sale tend to permit the unrestrained growth of grass, weeds and other vegetation, other than woodland and planted agricultural crops, which the Township Board of Supervisors finds is a nuisance in the Township.

SECTION 4. RESIDENTIAL LOT

For purposes of this Ordinance “Residential Lot” shall include any lot improved with at least one dwelling and which is less than two acres in size.

SECTION 5. DISTRESSED RESIDENTIAL LOT

For purposes of this Ordinance the term “distressed residential lot” shall include any residential lot which:

(a) has been advertised for sale by the Sheriff of York County but which has not yet been sold. This definition includes those lots on account of which Sheriff sales have been postponed or continued or have been stayed by the filing of a petition in bankruptcy, but does not include those where the writ of execution has been withdrawn by the judgment creditor;

(b) has been purchased at Sheriff ‘s sale by a financial institution or an investment purchaser.

SECTION 6. INVESTMENT PURCHASER

For purposes of this Ordinance this definition includes all owners who have purchased a residential lot at a Sheriff's sale and all owners who have purchased a residential lot from an owner who either purchased the residential lot at a Sheriff's sale or purchased it from a purchaser at a Sheriff's sale, excepting:

- (a) Purchasers who reside on the property;
- (b) Purchasers who have leased the property to a tenant who resides in such property and have registered such tenant with the Township consistent with the requirements of the Township Rental Dwelling Registration Ordinance.

SECTION 7. REGULATIONS APPLICABLE TO DISTRESSED RESIDENTIAL LOTS

Each owner of a distressed residential lot in Peach Bottom Township shall keep such lot mowed so that grass, weeds or other vegetation other than trees, shrubbery, flowers, or garden does not exceed twelve (12) inches in length of vegetative growth. This mowing requirement does not apply to that portion of any distressed residential lot which has been planted to an agricultural crop during the calendar year in question, provided the crop has been or will be harvested as an agricultural crop during such calendar year.

SECTION 8. FAILURE TO MOW AS REQUIRED

In the event the owner or owners of a distressed residential lot fail to mow such lot as required by Section 7 of this Ordinance, the Township shall send a notice to such owner at such owner's last known address as determined from the assessment records for the taxation of real estate, or in the case of a purchaser following Sheriff sale to the address set forth on the deed of purchase, giving such owner ten (10) days from the date of mailing to complete the required mowing. If such mowing is not done within such ten-day period, the Township shall have the right to but not be obligated to enter onto such distressed residential lot for the purpose of performing the mowing as required by this Ordinance without liability to the owner or owners of such distressed residential lot for any damages which may occur to the property of such owner or owners. The cost of such entry and mowing together with a penalty of ten percent (10%) of the amount thereof shall be paid by the owner or owners of the distressed residential lot in question within ten (10) days from the date of notification thereof, and

upon failure to pay the same such costs and penalties together with reasonable attorney fees for collection shall be entered as liens against the distressed residential lot in question in the Office of the Prothonotary or such other office which may at that time be responsible for the maintenance of records of municipal liens and may be collected in the manner provided by law for the collection of municipal liens.

SECTION 9. Any owner or owners of a distressed residential lot which shall fail to mow as required by the provisions of this Ordinance shall be subject to a penalty in the amount of One Thousand Dollars (\$1,000.00) for each and every offense. Each and every day that a distressed residential lot is not mowed in violation of any of the provisions of this Ordinance shall be considered a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

SECTION 10. EFFECTIVE DATE

January 4, 2010