

**GLEN ROCK BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 524

**AN ORDINANCE FOR THE BOROUGH OF GLEN ROCK PROVIDING FOR
REGULATIONS RELATED TO GROWTH OF GRASS, WEEDS, AND
OTHER VEGETATION**

WHEREAS, the Borough Council of Glen Rock Borough desires to add the following regulations related to the growth of grass, weeds, and other vegetation to Chapter 10, Part 3 of the Glen Rock Borough Code of Ordinances and amend Chapter 10, Part of the Glen Rock Borough Code of Ordinances.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED and enacted by the Borough Council of Glen Rock Borough Pennsylvania, as follows:

SECTION 1. Definitions.

GREEN INFRASTRUCTURE - A planned, intentional and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plantings. The term shall include "grow zones" as established in certain municipal parks and public spaces. All green infrastructure defined in this Part shall conform to at least one of the following categories:

- A.** Planted Meadow. Designated area purposefully planted with native grass, forb, and wildflower seed to provide food sources and habitat for wildlife and pollinators. Low-mow and planted meadows are examples.
- B.** Meadow. Designated area where existing site vegetation is evaluated to control invasive species with a continued maintenance plan to prevent the spread of invasive species from area to area. Low-mow and no-mow meadows are examples.
- C.** Pollinator Gardens and Plots. Designated area that is planted with specific plant types beneficial to pollinators in a designated garden. Pollinator plots and gardens may also be for demonstration and educational purposes. These types of green infrastructure typically require ongoing maintenance including routing weeding, mulching, trimming, and other plant care.

INVASIVE SPECIES - Those species that grow aggressively and spread and displace native vegetation. Invasive plants are generally undesirable because they are difficult and costly to control and can dominate whole habitats, making them environmentally destructive. The list that

shall be used by this Part is the Pennsylvania Department of Conservation and Natural Resources (DCNR) Invasive Plants list.

LANDOWNER - One who owns or controls land within the Borough (including the Borough itself), any person, agent, operator, partnership, association, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the County as holding title to the property; or otherwise having control of the property, including the Guardian, Executor or Administrator of the estate of any such person, or a person or entity required to register pursuant to Chapter 10, Part 5 of the Glen Rock Borough Code of Ordinances, Foreclosure Property Registry and Maintenance.

NOXIOUS WEED - A generally invasive plant that once declared noxious becomes illegal to sell, transport, plant or otherwise propagate within the Commonwealth. The list of Pennsylvania Noxious Weeds is periodically updated and is available from the U.S. Department of Agriculture, Natural Resources Conservation Service.

OVERGROWN - Covered with plants and vegetation that have grown in an uncontrolled way.

PROPERTY - Any legal lot, plot or parcel of land, whether improved or unimproved.

SECTION 2. Restrictions on Growth.

- A.** Any weeds, and any vines, grasses, or other vegetation (not including bushes and trees) which are not edible and are not planted for a clearly useful or ornamental purpose, which exceed ten (10) inches in height on any improved property or 12 inches in height on any unimproved property in Glen Rock Borough are hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough.
- B.** It is unlawful for any person or persons or any partnership or association or any corporation owning or occupying land or lands in Glen Rock Borough to permit any such weeds, vines, grasses or other vegetation to grow or remain on any lot or tract of ground in Glen Rock Borough, except on the following lots or tracts of ground:
 - 1.** Agricultural property uses
 - 2.** Wetlands in developed and undeveloped areas, whether natural or constructed
 - 3.** Woodlands
 - 4.** Public rights-of-way and easements
 - 5.** Public parks
 - 6.** Government-owned lands
 - 7.** Green Infrastructure
 - 8.** Steep slope areas having a grade equal to or greater than a three to one slope
 - 9.** Best management practice facilities designed to meet the requirements of the Glen Rock Borough Stormwater Management Ordinance
 - 10.** Riparian buffers and riparian forest buffers planted to comply with the specifications outlined in the Glen Rock Borough Zoning Ordinance and the Glen Rock Borough Stormwater Management Ordinance

- C. Noxious weeds as defined by the Pennsylvania Noxious Weed Control Law are prohibited on any property in Glen Rock Borough.

SECTION 3. Notice of Violation; Abatement.

- A. Notices of violation of this chapter shall be sent by Glen Rock Borough to the owner and occupant of any such lot or tract of land by:
 - 1. Sending written notice of violation by certified and first-class mail to the address of the owner of the property and to the last known address of any person or persons or any partnership or association or any corporation listed as owner and to the lending institution or its agent for foreclosed properties.
 - 2. If the certified mail and first-class mail are returned as undeliverable, by leaving written notice of violation on the premises either by handing such notice to an adult in charge of the premises or by affixing a copy of the notice to the premises at a conspicuous place thereon.
- B. The notice shall specify the nature of the violation and shall require abatement of the violation within 10 days of service of the notice of violation.
- C. The owner/occupant of any property, or in the case of foreclosure the lending institution or its agent, shall receive one notice of violation per season. Future violations during the same season shall be issued citations without further notice.

SECTION 4. Penalty for Violation. Enforcement of this Ordinance shall be as follows:

- A. Any person who shall fail to comply with any enforcement notice shall, upon conviction thereof, before a magisterial district judge, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus the costs of prosecution, including reasonable attorneys' fees and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.
- B. The Borough Council may direct the removal, repair, or alteration of any nuisance as defined herein, as the case may be, to be done by the Borough and to certify the costs thereof to the Borough Solicitor, and the cost of such removal, repairs or alterations, together with a penalty of 10%, shall be a lien upon such property from the time of such removal, cutting, repairs and/or alterations, which date shall be determined by the certificate of the person doing such work, and filed with the Borough Secretary.
- C. The Borough, by means of a complaint in equity, may compel the owner of the property to comply with the tenors of any notice of violation or seek any such other relief as any such court of competent jurisdiction is empowered to afford.
- D. Each day's continuance of a violation of any provision of this Ordinance shall constitute a separate offense.

SECTION 5. Section 10-103(1)(A)(5) of the Glen Rock Borough Code of Ordinances shall be amended by deleting the words that are ~~struck through~~ and adding the words in *italics*:

Permitting any grass or weeds or any vegetation *that are in violation of the provisions of Chapter 10, Part 3 of the Glen Rock Borough Code of Ordinances.*
~~whatsoever not edible or planted for some useful or ornamental purpose to grow or remain upon such premises that exceed 10 inches in height.~~

SECTION 6. Severability. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

SECTION 7. Repealer. All Ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as some affect this Ordinance.

SECTION 8. Effective Date. This Ordinance shall take effect in accordance with the Laws of the Commonwealth of Pennsylvania.

ENACTED AND ORDAINED this 20th day of December, 2023, by the Borough Council of Glen Rock, York County, Pennsylvania in lawful session duly assembled.

Attest:

GLEN ROCK BOROUGH COUNCIL

Secretary

By: _____
President

Approved the 20th day of December, 2023.

By: _____
Mayor