

**INDEPENDENCE TOWNSHIP**  
**Washington County**

ORDINANCE NO. 19-03

**AN ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE,  
WASHINGTON COUNTY, PENNSYLVANIA, AMENDING  
ARTICLE II, CHAPTER 220 GRASS, WEEDS AND OTHER  
VEGETATION OF THE TOWNSHIP CODE, SPECIFICALLY  
DECLARING CERTAIN DEAD/DISEASED TREES, SHRUBS AND  
BRUSH AS NUISANCES AND SETTING FORTH PROCEDURES  
FOR THEIR REMOVAL WITHIN THE TOWNSHIP.**

WHEREAS, the Board of Supervisors believe it to be in the best interest and welfare of the Township to establish regulations related to dead/diseased trees, shrubs and brush in the Township.

NOW THEREFORE, the Board hereby ordains and enacts as follows, incorporating the above recitals by reference:

**SECTION 1. PURPOSE.**

The Board of Supervisors of Independence Township hereby agrees that dead/diseased trees, shrubs and brush in the Township can present a public nuisance. The Board believes it to be in the best interest of the Township, its residents and the public at large to set additional regulations for the removal of certain trees, shrubs and brush that have been declared nuisances.

**SECTION 2. AMENDMENT TO CHAPTER 220, SPECIFICALLY §220-1 OF THE TOWNSHIP CODE.**

Chapter 220, § 220-1 is hereby repealed and replaced with the following.

A. Excess growth prohibited.

No person, firm or corporation owning or occupying any property within the Township of Independence containing less than two contiguous acres or what would be considered the front yard, side yard and rear yard shall permit any grass or weeds or any similar vegetation whatsoever to grow or remain on such premises so as to exceed a height of six inches or to throw off any unpleasant or noxious odor or to conceal any filthy deposit. Any grass, weeds or similar vegetation growing upon any premises in the Township in violation of any of the provisions of this section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Township.

B. Nuisances.

- i) Any tree or shrubbery existing on public lands or on public streets or rights-of-way within the municipality and which is determined to be a nuisance as hereinafter provided, may be removed by the municipality at its own expense.
- ii) Any dead/diseased Trees, Shrubs and Brush on private property that have been determined to interfere with a public right-of-way, site lines, etc. shall be deemed a nuisance.
- iii) Any dead/diseased Trees, Shrubs and Brush on private property that have been determined to be a fire or safety hazard shall be deemed a nuisance.

**SECTION 3. VIOLATIONS AND PENALTIES.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and cost, 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.

**SECTION 4. ADDITIONAL REMEDIES.**

As an additional remedy, the Township may abate a nuisance which shall be deemed to occur upon conviction of any regulations set forth herein. Said abatement procedures shall include, but not be limited to, an action in the Court of Common Pleas of Washington County for injunctive relief, action by the Township to remove any nuisances with the cost thereof to be charged against the property owner and/or person violating this Part, said cost including the actual cost for the abatement of the nuisance plus reasonable attorney, administrative and related fees.

**SECTION 5. REPEALER.**

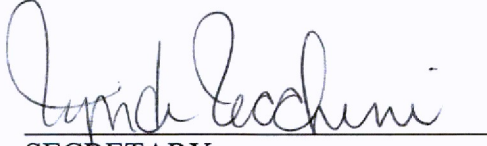
Any Township code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

**SECTION 6. SEVERABILITY.**

In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Township Council that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

**ENACTED AND ORDAINED** this 18th day of Dec. 2019.

ATTEST:

  
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SECRETARY

BOARD OF SUPERVISORS  
INDEPENDENCE TOWNSHIP

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
SUPERVISOR

  
\_\_\_\_\_  
SUPERVISOR