

**HATFIELD TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 672**

AN ORDINANCE AMENDING CHAPTER 88 OF THE HATFIELD TOWNSHIP CODE, ENTITLED “BRUSH, GRASS AND WEEDS”, TO RETITLE THE CHAPTER AND TO ESTABLISH ADDITIONAL REQUIREMENTS FOR THE TRIMMING OF TREES WITHIN THE TOWNSHIP.

WHEREAS, the First Class Township Code authorizes the Board of Commissioners to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens;

WHEREAS, the Township of Hatfield desires adopt an ordinance establishing requirements to trim certain trees within the Township;

WHEREAS, the Board of Commissioners of the Township of Hatfield, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of the Township of Hatfield will be served by adopting this ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of Hatfield Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

SECTION 1. CODE AMENDMENTS.

The Township of Hatfield Code is hereby amended as follows:

- A. Chapter 88, entitled “Brush, Grass and Weeds” of the Hatfield Township Code is hereby amended to change the title of the chapter and shall read as follows:**

Chapter 88: Brush, Grass, Weeds, and Trees

- B. Chapter 88, Section 3, entitled “Declaration of nuisance”, Subsection B. is hereby amended and shall read as follows:**

- B.** There shall be a clearance of at least fourteen (14) feet from the surface of any street and at least eight (8) feet from the surface of any sidewalk to the lowest branch or limb of any tree or other overhanging part thereof.

C. Chapter 88, Section 3, entitled “Declaration of nuisance”, is hereby amended to add a new Subsection C. and shall read as follows:

C. Any grass, weeds, trees, or other vegetation growing upon a lot or premises in Hatfield Township in violation of any provision of this section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and welfare of the residents of Hatfield Township.

D. Chapter 88, Section 4, entitled “Trimming required” is hereby amended and shall read as follows:

§ 88-4 Trimming required.

The owner of any premises, as to vacant premises or premises occupied by the owner, or the occupant thereof, in the case of premises occupied by other than the owner thereof, shall remove, trim or cut all grass, weeds, trees, or other vegetation growing or remaining upon such lot or premises in violation of § 88-3 of this chapter.

E. Chapter 88, Section 6, entitled “Notice to comply” is hereby amended and shall read as follows:

§ 88-6 Notice to comply.

If the grass, weeds, tree, or other vegetation referred to in § 88-4 is not removed within the prescribed period of time as set forth in § 88-5, then the same may be removed by or under the direction of the inspector and with such tools, equipment and materials as deemed necessary by the inspector or other person designated by the Commissioners of Hatfield Township. The cost thereof, together with ten-percent penalty and all costs of prosecution as provided by law, shall be collected by municipal lien or by an action of assumpsit or by any other manner provided by law.

SECTION 2. REPEALER.

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS.

The Hatfield Township Board of Commissioners does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY.

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This amendment shall become effective five (5) days after date of adoption.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.

The failure of Hatfield Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Board of Commissioners of Hatfield Township, Montgomery County, Pennsylvania, this _____ day of _____, 2017.

ATTEST:

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS:**

Aaron Bibro, Township Manager/Secretary

By: _____
Thomas C. Zipfel, President