

BOROUGH OF MT. OLIVER

ORDINANCE NO. 987

AN ORDINANCE OF THE BOROUGH OF MT. OLIVER AMENDING CHAPTER 248 OF THE BOROUGH CODE OF ORDINANCES, VEHICLES AND TRAFFIC, TO ESTABLISH CERTAIN CHARGES AND FEES RELATED TO THE APPLICATION FOR, ISSUANCE OF AND MAINTENANCE OF PARKING PERMITS, AND AMENDING CHAPTER 87, ARTICLE V OF THE BOROUGH CODE OF ORDINANCES, PROPERTY MAINTENANCE CODE, TO ESTABLISH A MAXIMUM HEIGHT FOR VEGETATION AND AUTHORIZE THE FILING OF A LIEN AGAINST PROPERTIES IN VIOLATION

WHEREAS, Section 248-68 of the Borough Code of Ordinances authorizes certain permit parking within Mt. Oliver Borough; and

WHEREAS, the Mt. Oliver Borough Council desires to establish certain charges and fees relating to the application for, issuance of and maintenance of parking permits to be issued by the Borough; and

WHEREAS, the Borough has adopted the 2015 International Property Maintenance Code as the Borough's Property Maintenance Code; and

WHEREAS, the Borough is permitted to make modifications to the standards set forth in the 2015 International Property Maintenance Code and desires to do so, in order to establish a maximum height for vegetation and permit the Borough to file a lien against a property in violation, where the Borough incurs costs to remove vegetation in excess of the permitted height.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Mt. Oliver, as follows:

I. The Council of the Borough of Mt. Oliver ordains that Chapter 248, Article VII of the Borough Code of Ordinances, Parking Meters, is hereby amended to add new Section 248-37.1, Permit Parking, to read as follows:

**§ 248-37.1. Permit Parking**

In accordance with Schedule XVI of this Chapter (§ 248-68), the Borough Manager or the Manager's designee may issue parking permits pursuant to regulations established, from time to time, by resolution of the Mt. Oliver Borough Council. Additionally, the Mt. Oliver Borough Council may establish, by resolution, any charges and fees relating to the application for, issuance of and/or maintenance of such parking permits.

II. The Council of the Borough of Mt. Oliver ordains that Chapter 87, Article V, Section 87-16 of the Borough Code of Ordinances, Modification of Standards, is hereby amended to add new Paragraph H, to read as follows:

H. Section 302.4, Weeds. Amend this section to read as follows:

**302.4. Weeds.** Premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches in height. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner, occupant and/or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the Borough of Mt. Oliver. Upon failure to comply with the notice of violation, any duly authorized employee of the Borough of Mt. Oliver or contractor hired by the Borough shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner, occupant and/or agent responsible for the property, and such costs, together with any interest, penalty, charges, expenses and fees, and attorney fees authorized for Borough municipal claims, may be filed as a lien against the property in violation.

III. If any provision of this Ordinance is for any reason held to be legally invalid, such decision shall not affect remaining portions of this Ordinance and they shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared severable.

IV. In the event of any inconsistency between the provisions of this Ordinance and any prior Ordinance, the provisions hereof shall be determined to govern.

V. This Ordinance shall be effective immediately upon adoption.

This Ordinance ORDAINED AND ENACTED INTO LAW by the Borough Council of the Borough of Mount Oliver at a duly assembled public meeting this 21<sup>st</sup> day of September, 2020.

ATTEST:

  
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Manager

BOROUGH OF MOUNT OLIVER

By:   
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President, Borough Council