

ORDINANCE NO. 798

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE REGULATING  
VEGETATION AT INTERSECTIONS OF PUBLIC ROADS

BE IT ORDAINED AND ENACTED, by the Borough of Monroeville, in Council assembled as follows:

Section 1. Height of Vegetation.

No person, firm or corporation owning or occupying any property within the Borough of Monroeville shall permit any shrubbery, bushes, trees, ornamental plants, flowers, evergreens, weeds, wild plants or grass to grow on such private property at the intersections of public roads, to such a height so as to obstruct the vision of motorists or pedestrians in their use of such public roads. Use of public roads shall not include ingress or egress from private driveways.

Section 2. Standard Applied.

In the area ten (10) feet from the edge of the cartway, whether on public right-of-way or private property, no vegetation in excess of three (3) feet in height shall be permitted so as to obstruct sight distance along the traveled portion of the road or sidewalk to less than ninety (90) feet. In determining whether vegetation is of such a height as to obstruct the vision of motorists or pedestrians, the criteria for sight distances set forth in Section 3-02, Paragraph 5 of Ordinance No. 744 shall be applied; provided, however, that in special cases, the Ordinance Officer may enforce a stricter standard if a safety hazard is found.

Section 3. Enforcement.

With respect to vegetation found to be in violation of this Ordinance on private property, it shall be the duty of the Borough Manager or person designated by him as Ordinance Officer to give notice, by personal service or by United States Mail to the owner or occupant of such private property whereon such vegetation is growing or remaining in violation of this Ordinance, directing such person, firm or corporation to remove, trim, or cut such vegetation within ten (10) days after issuance of such notice. In case any person, firm or corporation shall neglect, fail or refuse to comply with the notice provided in this Section within the period of time stated herein, the Borough Authorities may cause such vegetation to be removed, trimmed or cut at the expense of such person, firm or corporation, as set forth in Section 5 of this ordinance.

With respect to such vegetation in violation of this Ordinance which is in the public right-of-way, the Borough Authorities may cause such vegetation to be removed, trimmed or cut, even if such vegetation was planted and maintained by an adjacent property owner or occupant. Such removal, trimming or cutting of vegetation within the public right-of-way shall be at the expense of the Borough; provided, however, that the Borough shall not be liable for any claims or damages in connection with the removal of such vegetation within the public right-of-way.

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Section 4. Penalty

Any person, firm or corporation who or which shall violate or fail, neglect or refuse to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$100.00 and costs of prosecution; provided, however, that each day's violation shall constitute a separate offense and a separate notice to the offender shall not be necessary in order to constitute an offense.

Section 5. Municipal Claim and Lien.

The actual cost of labor involved for each time the Borough shall cause vegetation to be removed, trimmed or cut on private property shall constitute a municipal lien, and the owner or occupant, as the case may be, of the premises shall be billed after same has been completed. Should any bill or bills for the removing, trimming or cutting of vegetation be unpaid after 30 days from the issuance of the bill, the Borough Solicitor is hereby authorized and directed to institute such proceedings, in the name of the Borough of Monroeville, in any Court having jurisdiction over such matter for the collection of such bill including actions at law or the filing of a municipal lien against the property. A penalty of 10% per annum shall be added to claims which remain unpaid.

ORDAINED AND ENACTED this 11th day of July, 1972.

ATTEST:

BOROUGH OF MONROEVILLE

S/ Carrol F. Pickens  
Secretary

By S/ George C. Dale  
President of Council

EXAMINED AND APPROVED this 14th day of July, 1972.

S/ John J. Duncan  
Mayor

Entered in Legal Book, Aug. 3, 1972.

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