

BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 480-2022

AN ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, PROHIBITING THE PLACING OF LEAVES OR GRASS CLIPPINGS OR OTHER LAWN OR GARDEN WASTE UPON PUBLIC PROPERTY OR ON OR WITHIN THE RIGHTS OF WAY OF BOROUGH ROADS OR STATE HIGHWAYS AND PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE

WHEREAS, Section 1202(5) of the Borough Code of Pennsylvania, 8 Pa.C.S. §1202(5), authorizes the Borough of Leesport to adopt Ordinances for the health, safety, morals, general welfare and cleanliness and beauty, convenience, comfort and safety of the Borough; and

WHEREAS, Council for the Borough of Leesport believes it is in the best interest of the Borough to prohibit deposit of certain substances upon public property or within or upon the rights of way of any Borough Road or State Highway.

NOW THEREFORE, BE IT ENACTED and ORDAINED, by the Borough Council of the Borough of Leesport, Berks County, Pennsylvania by the authority of the same as follows:

SECTION 1. Deposit of Certain Substances Prohibited

No person shall place or deposit leaves, grass clippings, or other lawn or garden waste materials on or upon public property or within or upon the rights of way of any Borough Road or State Highway within the Borough of Leesport, Berks County, Pennsylvania.

SECTION 2. Violations.

Any person who violates any provisions of this Ordinance shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than Twenty Five (\$25.00) Dollars and not more than One thousand (\$1,000.00) Dollars, and in default of said fine and costs to undergo imprisonment in the county prison for a period not in excess of thirty (30) days.

SECTION 3. Abatement of Nuisances.

In addition to any other penalties or remedies provided in this Ordinance, any violation of Section 1 above shall constitute a nuisance and shall be abated by the Borough, the Northern Berks Regional Police Department, and/or the Borough Code Enforcement Officer, at the expense of the Violator at the cost plus ten percent (10%) to be charged against the land on which the leaves, grass clippings, or other lawn or garden waster materials originated as a municipal lien, provided, however, the owner of such land is the Violator or directed the Violator to cause any violation of Section 1 above.

SECTION 4. Repealer.

All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 5. Severability.

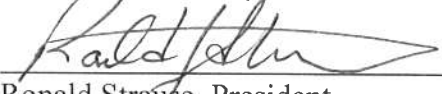
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 6. Effective Date.

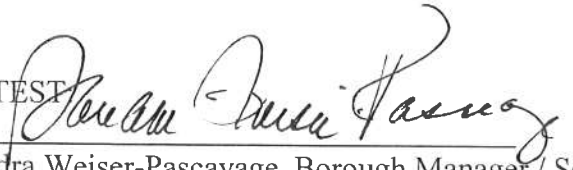
The effective date of this Ordinance shall be immediately upon its enactment and approval by the Mayor.

ENACTED AND ORDAINED this 20th day of July, 2022.

COUNCIL FOR THE
BOROUGH OF LEESPORT,
BERKS COUNTY, PENNSYLVANIA




Ronald Strause, President

ATTEST 

Sandra Weiser-Pascavage, Borough Manager / Secretary

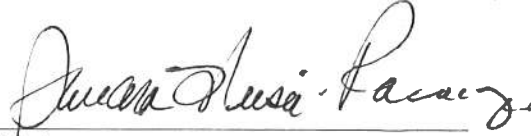
APPROVED this 20th day of July, 2022.



Charles Berger, Mayor of the Borough

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 480-22 adopted by the Council of the Borough of Leesport, Berks County, Pennsylvania at a public hearing following a regular meeting held on July 20, 2022, pursuant to notice as required by law.



Sandra Weiser-Pascavage
Borough Manager / Secretary

NOTICE TO THE RESIDENTS OF THE BOROUGH OF LEESPORT

The Borough Council of Leesport, Berks County, Pennsylvania on Wednesday, July 20, 2022, beginning at 6:00 p.m. in the Leesport Fire Company Social Hall located at 11 South Canal Street in Leesport will consider enactment of the Ordinance summarized below. The complete title and summary of the proposed Ordinance are as follows:

AN ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, PROHIBITING THE PLACING OF LEAVES OR GRASS CLIPPINGS OR OTHER LAWN OR GARDEN WASTE UPON PUBLIC PROPERTY OR ON OR WITHIN THE RIGHTS OF WAY OF BOROUGH ROADS OR STATE HIGHWAYS AND PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE

Section 1 entitled "Deposit of Certain Substances Prohibited" prohibits the deposit of leaves, grass clippings, or other lawn or garden waste materials upon public property or upon the rights of way of Borough Roads or State Highways. Section 2 entitled "Violations" sets forth the penalties for violation of the Ordinance. Section 3 entitled "Abatement of Nuisance" provides that any violation of Section 1 shall constitute a nuisance and shall be abated by the Borough, the Northern Berks Regional Police Department, and/or the Borough Code Enforcement Officer at the expense of the Violator at the cost plus ten percent (10%). Section 4 is the repealer. Section 5 provides that the provisions of the Ordinance are severable. Section 6 provides an effective date.

All interested residents are invited to attend and be heard. A complete copy of the proposed Ordinance is available for inspection without charge and for copying at a charge not greater than the cost thereof at the Borough Hall at 27 S. Canal Street, Leesport during regular office hours.

COUNCIL FOR THE BOROUGH OF LEESPORT,
BERKS COUNTY, PENNSYLVANIA
Sandra L. Weiser-Pascavage
Borough Manager

Christopher J. Hartman, Esquire, Solicitor
To be published in the Reading Eagle on June 30, 2022