

CITY OF JOHNSTOWN, PENNSYLVANIA
ORDINANCE NO. 5382

Bill 5 of 2026

Introduced in Council
August 12, 2026

~~Bill No. 19 of 1991 — By: Greater Johnstown — Introduced in~~
~~Committee — Council 6/12/1991~~

AN ORDINANCE AMENDING CHAPTER 1890 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN REGARDING WEEDS, BY ORDINANCE 2029 FINALLY PASSED JUNE 26, 1933, AND AMENDED BY ORDINANCE 4915 FINALLY PASSED AUGUST 13, 2003 (SPECIFICALLY REPEALING ORDINANCE 2029), TO INCLUDE NUISANCES AND REVISE REMEDIES FOR VIOLATIONS.

BE IT ENACTED AND ORDAINED, by the Council of the City of Johnstown, Pennsylvania, and it is hereby enacted by the authority of same that:

SECTION 1890.01. WEEDS DEFINED-DEFINITIONS

- a. Weeds-As used in this chapter, weeds shall be defined as all grasses, annual plants and vegetation other than trees or shrubs, and all rank vegetable growth that throws off unpleasant and noxious odors, and high and rank vegetable growth that may conceal filthy deposits. This term shall not include cultivated flowers and gardens.
- b. Public Nuisance-Any act, thing, condition, or use of property which shall be of such a nature and shall continue for such length of time as to do any of the following:
 1. Substantially annoy, injure, or endanger the comfort, health or safety of the public;
 2. Unlawfully doing an act or failing to perform a duty, which act or omission endangers the health or safety of the public to include:
 - a. Accumulations of garbage in a manner in which flies, mosquitoes, disease-carrying insects, rodents or other vermin may breed or may reasonably be expected to breed;
 - b. Accumulations of refuse in a manner which flies, mosquitoes, disease-carrying insects, rodents or other vermin may breed or may reasonably be expected to breed. "Refuse" means all solid waste, including garbage, rubbish, debris, ashes, street cleanings, dead animals, abandoned or inoperable automobiles, abandoned or inoperable household appliances, or furniture not designed for or modified to withstand the elements and outdoor use, and other waste.

SECTION 1890.02. DECLARATION OF NUISANCE

The growth of weeds, accumulation of garbage, or the accumulation of rubbish, upon any premises within the City or upon a sidewalk abutting such premises is hereby declared a public nuisance, injurious to public health and the public interest.

SECTION 1890.03. MAXIMUM HEIGHT PROHIBITION

- a. No owner, tenant or occupant of premises within the City shall allow or maintain any growth of weeds to the height of over eight inches on such premises or on the sidewalk abutting such premises.

b. No person shall permit, cause, maintain, or allow to be permitted, caused or maintained any public nuisance on any private or public property in the City of Johnstown.

SECTION 1890.04. NOTICE OF VIOLATION

~~No person shall fail to cut and destroy weeds exceeding eight inches in height, as set forth in Section 1890.03, within five days after the date of the receipt of a written notice to do so from the Bureau of Code Enforcement.~~

a. Upon determining that a nuisance exists, the Bureau of Code Enforcement or it's designee shall cause a notice to be delivered to the owner and occupant of the property or upon the person causing or permitting the nuisance to exist. Said notice shall specifically describe the nuisance and shall direct the owner, occupant or person responsible to remove or abate the nuisance within five (5) days of the receipt or posing of the notice. Such notice shall contain the telephone number and name of the City employee who made the inspection and shall state that telephone inquiries may be made. If the owner, occupant or person cannot be located after reasonable inquiry then the posting of the notice on the property shall be sufficient. The notice shall likewise state that, unless the nuisance is abated or removed, the City may cause it to be removed and that the full cost thereof will be charged to the owner, occupant or person causing, permitting or maintaining the nuisance and that such cost shall be a lien on the real property where the nuisance was abated or removed. Such notice shall also state that the failure to remove or abate the nuisance shall be deemed an implied consent for the City to enter the property and remove or abate the nuisance. Such implied consent shall be deemed to form a contract between the owner, occupant or person and the City.

b. The person upon whom the notice to abate or remove a nuisance is served, the property owner, tenant or other person affected may appeal the determination of nuisance in writing to the Bureau of Code Enforcement. The appeal must be made within the time period to abate set forth in the notice. The City may extend the time for abatement, determine that a nuisance no longer exists or affirm that the nuisance must be abated. In the event that the nuisance is deemed an emergency, the appeal may be heard after the abatement of the nuisance by the City. In the event the Bureau of Code Enforcement determines that the appellant is not liable for costs, no lien or judicial action will be taken by the City.

SECTION 1890.05. ABATEMENT OF NUISANCE

Any condition caused or permitted to exist in violation of Section 1890.04 will be deemed a public nuisance and may be abated by the City with the cost of such abatement borne by the person or entity owning the property upon which such condition exists. Such cost will be collected for the use of the City as debts by law are collected or by a municipal claim or lien filed as provided by law. ~~Each day that such condition continues shall be regarded as a separate offense.~~

SECTION 1890.06. VIOLATIONS.

a. Each day that such condition continues shall be regarded as a separate offense.

b. The provisions for remedying violations of this chapter are in addition to other remedies available for violations in the International Property Maintenance Code and other Codified Ordinances of the City, including seeking injunctive relief from a court of competent jurisdiction.

SECTION 1890.99. PENALTY. (EDITOR'S NOTE: See Section 202.99 for general code penalty if no specific penalty provided.)

Continued

Any person who violates this chapter shall, upon conviction thereof, be subject to a fine of not less than \$100 nor more than \$1,000 or imprisonment for a period not to exceed 90 days, or both, or penalties as set forth in Section 202.99.

SECTION 13. EFFECTIVE DATE

This Ordinance shall become effective seven (7) days after final passage.

PASSED FINALLY IN COUNCIL: September 9, 2026

MOTION: ARNONE SECONDED BY: KING

FIRST READ:**Roll Call:**

Barber			Clark			Spinelli ABSENT			Brandon-Taylor			King			Arnone			Hamacek		
Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A
X			X						X			X			X			X		

MOTION: ARNONE SECONDED BY: KING

Roll Call:

Arnone			Barber			Clark			Spinelli			Brandon-Taylor			Hamacek			King		
Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A
✓			✓			✓			✓			✓			✓			✓		

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5382 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

Sylvia King

Rev. Sylvia King, Mayor and or Dep. Mayor, Charles Arnone

Jennifer Burkhardt

Arturo Martynuska, City Manager and or Jennifer Burkhardt, City Clerk