

Chapter 7

Fire Prevention and Fire Protection

Part 1

Regulating Outside Burning

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Part 1**Regulating Outside Burning****§7-101. Definitions.**

Burning—the igniting of any material to cause flame, smoke, embers, hot ash or residue, in combination or individually.

Burn container—

A. Any container used for the purpose of burning materials as authorized herein; constructed of masonry, metal or other non-combustible rigid material; containing a bottom, sides and a cover as herein defined. “Burn containers” shall not be allowed to deteriorate to the point where they contain holes or missing surface in the structure. Outdoor fireplaces or incinerators shall be considered as burning containers for the purpose of this Part.

B. If metal drums are being used, they shall not have contained toxic or flammable or other regulated materials. They shall be free from holes in the sides and/or bottom, except that they may contain drain or vent holes in the bottom of the drum no larger than 2 square inches each.

C. Exception: Portable outdoor grills, fired by propane or charcoal, and designed for food preparation, are excluded from the provisions of this Part.

Burn container cover—a metal screen with spaces not more than ½ square inch, or other comparable material, which covers the entire open area above the burn container opening. Such screen shall be maintained in good order as to prevent large particles from escaping the burn container during operation. The cover shall not be allowed to deteriorate to any point whereby it loses its maximum efficiency.

Burnable materials—burnable materials shall include the following:

Cardboard and chipboard—includes cardboard and chipboard boxes, sheets, packing materials, etc. Excluded and not permitted to be burned are materials used to absorb all oil or other noxious or toxic materials; cardboard or chipboard in combination with any other non-burnable materials.

Non-burnable materials—the following is a partial list of those materials that are classified as “non-burnable” under the guidelines of this Part.

(1) Plastic; rubber; oils; asbestos; composition boards; shingles; felt paper; canvas; fiber glass; vinyl; or any similar materials; or any combination of the above with any other materials.

(2) Human or animal waste; sanitary napkins; diapers; food solids; oil filters; or any other materials individually or in combination, that emit smoke, or acrid, obnoxious or toxic odors.

(3) Grasses, green twigs or leaves.

The above is a partial list of those items and materials prohibited under the guidelines of this Part. Any other materials that do not comply fully with the intent of this Part, or otherwise create a nuisance to people or animals are strictly prohibited.

Paper—includes newsprint, wrapping paper, paper products or sheet paper items. Paper used to absorb oils or other noxious or toxic materials; plastic coated paper; paper attached to other non-burnable materials, or any other paper product that is wet shall not be included as burnable paper products, and are hereby prohibited from burning.

Wood—includes any unpainted wood or wood product. Excluded and not permitted to be burned are any wood that has been chemically treated to prevent rot or moisture damage, or other similar treatment; wood products that have a high glue content, such as flakeboard or composition board; and wood products in combination with any non-burnable materials.

Sunrise / sunset—a specific time of day, as determined and published by the U.S. Weather Bureau locally, at which the sun rises and sets.

(Ord. 978, 5/31/2011)

§7-102. Burning Prohibited.

No person or corporation shall cause to be burned any of the above non-burnable materials, or any like or similar materials not in compliance, or inconsistent with this Part. It shall be illegal to burn any materials that give off any acrid, obnoxious or toxic odors, or emit heavy smoke.

(Ord. 978, 5/31/2011)

§7-103. Burning Permitted.

Burning, in compliance with this Part, shall be permitted only between the hours of sunrise and sunset, Saturdays only. Under no conditions shall burning, as defined herein, be permitted between the hours from sunset to sunrise. Fires allowed to burn or smolder after sunset shall be in violation of this Part, and all those persons or corporations causing such fires shall be prosecuted under the guidelines of this Part.

(Ord. 978, 5/31/2011)

§7-104 Burning to Be Attended.

Burning, in compliance with this Part, shall be attended at all times by an individual 14 years or older until such time as the flame has subsided completely. Unattended burning shall be in direct violation of this Part, and all persons or corporations causing and allowing such unattended burning shall be prosecuted under the guidelines of this Part.

(Ord. 978, 5/31/2011)

§7-105. Burning Container.

No burning container shall be used or stored within 25 feet of any building or structure. No burning container shall be used or stored within 20 feet of any property line or public sidewalk area. No burning container shall be used or stored without the proper cover in place. No burning container shall be used for any other purpose.

(Ord. 978, 5/31/2011)

§7-106. Fires Prohibited.

All fires outside of burning containers are hereby prohibited with the Borough. This Part does not prohibit the issuance of “special burning permit” by the Code Enforcement Officer whenever circumstances so dictate. Such special permits shall be issued in writing by the Code Enforcement Officer on a form provided by the Borough. In granting such permit, the Code Enforcement Officer shall determine whether or not the fire company shall be in attendance.

(Ord. 978, 5/31/2011)

§7-107. Authority of Police Officers.

Any and all Borough police officers are hereby granted the authority and responsibility for inspecting outside burning containers for compliance with this Part. In the event any violations of this Part are found to be in existence at the time of inspection, the police officer is hereby charged with the responsibility of issuing warnings or citations, as merited, for all violations of this Part.

(Ord. 978, 5/31/2011)

§7-108. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 978, 5/31/2011)

