

AN ORDINANCE OF THE TOWNSHIP OF PEACH BOTTOM REGULATING AND RESTRICTING OUTDOOR FIRES WITHIN PEACH BOTTOM TOWNSHIP, YORK COUNTY, PENNSYLVANIA AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED BY THE Board of Supervisors of Peach Bottom Township, York County, Pennsylvania, as follows:

SECTION I. **PURPOSE** –

It is hereby declared that the purpose and intent of this ordinance is to promote the general health, welfare and safety of the residents of Peach Bottom Township by regulating the outdoor burning of materials and substances in Peach Bottom Township so as to preclude negligent and unsafe practices in the conduct of such burning in order to protect the lives and property of residents of the Township.

SECTION II. **PRACTICES** -

Outdoor fires other than those fully contained within a non-flammable barrel, drum or other similar container shall be subject to the following regulations:

- (a) No fire or burning shall occur within forty (40) feet of a building, within forty (40) feet of a wooded area or within forty (40) feet of flammable materials or substances such as petroleum products, accumulation of leaves, except that this shall not preclude the owner of a dwelling from having a fire in an outdoor grill or hibachi for cooking purposes within forty (40) feet of a dwelling.
- (b) No fire shall be permitted to burn except between 12:00 p.m. and sunset weekdays and between sunrise and sunset on weekends and holidays except that this shall not preclude extended hours of burning in case of a large burning project is such extended hours are specifically approved by the Township Board of Supervisors.
- (c) No fire shall be permitted to burn unless a person eighteen (18) years or older is present to regulate and control the burning during the entire time the fire is in existence. It is the intent of this provision that no fire shall be left unattended.
- (d) Anyone proposing to start a large fire should call 911 before starting such fire.

SECTION III. **NON-BURNABLE MATERIALS AND SUBSTANCES** –

- (a) No wet garbage, paint, paint cans, plastic or other materials which smolders or emits offensive odors shall be burned in any fire. It is the intent of this ordinance to permit the burning only of readily combustible or flammable materials such as dry leaves, brush, paper, charcoal, wood, corn cobs and other such materials that normally do not smolder or emit offensive odors or smoke; provided, however, wood may be burned in a smoldering fire in an enclosed structure for the purpose of smoking meat or fish.

- (b) No hazardous waste materials or containers of such material shall be burned in any fire.

SECTION IV. **PENALTIES** –

Any person, partnership, association, or corporation burning any materials or substances or permitting any materials or substances to be burned on his property in violation of any of the provisions of this ordinance shall be subject to a penalty of Three Hundred (\$300.00) Dollars, which penalty may be collected by suit or summary proceeding brought in the name of the Township before any District Justice. Each day during which such person, partnership, association, or corporation shall be deemed a separate offense. There shall be presumption that any fire occurring on property in Peach Bottom Township has occurred on such property with the permission of the owner or owners of such property.

SECTION V. This ordinance shall be known as the “Peach Bottom Township Outdoor Burning Ordinance.”

ORDAINED AND ENACTED BY THE Board of Supervisors of Peach Bottom Township, York County, Pennsylvania this 4th day of March, 1996, amended the 7th day of November 2005