

CHAPTER 6

FIRE PREVENTION/PROTECTION

ARTICLE I

BURNING

History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 50, July 10, 1985, as amended by Ordinance No. 51 of October 9, 1985 and Ordinance No. 56, September 10, 1986, Ordinance No. 03-04-02, April 9, 2003 and Ordinance No. 2004-12-12, December 8, 2004.

§ 6-101. General

The purpose of this Article is to protect the health, safety, welfare, comfort and living condition of the residents of Center Township by regulating open fires within the Township.

§ 6-102. Definitions:

As used in this Article:

- A. **Approved Fire:** The burning of non-toxic, combustible materials in a container during regulated times under constant supervision and as otherwise regulated by this Article.
- B. **Bonfire:** A fire in the open air for amusement.
- C. **Container:** Any brick or metal container such as a metal barrel or basket or brick fireplace or incinerator which will contain the burning material. The container must have a metal screen cover completely covering the top of the container having three quarters inch (3/4") mesh or smaller.
- D. **Open Fire:** Any fire of any material which is burned in the open or other than in a container as defined herein.
- E. **Person:** Any individual, partnership, association, syndicate, company, firm, trust, corporation, department, bureau, agency or other entity recognized by law as subject to rights and duties.

§ 6-103. Regulations

- A. No person shall kindle or maintain any bonfire or other open fire or authorize any such fire to be kindled or maintained on or in any public streets, rights-of-way, alley, road, or public or private grounds.

- B. No person shall kindle or maintain an approved fire or authorize such fire to be kindled or maintained on any private land unless they are complying with the regulations hereinafter set forth:
 - 1. The fire shall in an approved container not less than thirty feet (30') from any structures.
 - 2. Adequate provisions shall be made to prevent the fire from spreading to within thirty feet (30') of any structure.
 - 3. The fire shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to a water supply or other adequate fire extinguishing equipment readily available for use.
- C. No burning of leaf waste shall be permitted at any time within the Township. Leaf waste is defined as leaves.
- D. No burning of materials which can be recycled pursuant to Article III of the Township's Solid Waste regulations, Chapter 16 shall be permitted in the Township.

§ 6-104. Time Limitations

No approved fire shall be maintained by any person within Center Township between the hours of 6 o'clock p.m. and 6 o'clock a.m.; furthermore, there shall be no fires permitted on Sundays or legal holidays.

§ 6-105. Exceptions

The following may be excepted from the regulation of this Article. However, the Township maintains the right to disapprove any such fires, if, in the Township's opinion, the safety of its' residents or their property will be threatened.

- A. Barbecues.
- B. Cookouts.
- C. Bonfires, Field Clearing or Demolition of Buildings: When fifteen (15) days prior notification is given to the Township specifying date, time, place, responsible individual(s) and safety precautions to be available. Such fires shall be constantly attended by a competent person until such fire is extinguished.

§ 6-106. Penalties

Any person violating any of the provisions of this Article shall upon conviction thereof, by a District Magistrate, be sentenced to pay a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) together with the costs for the first

violation; and not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) together with the costs thereof for a second violation; and not less than two hundred dollars (\$200.00) nor more than three hundred dollars (\$300.00) together with the costs thereof for the third and subsequent violations. Each day a violation exists it shall constitute a separate offense.