

CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

PART 1

OPEN FIRES

- § 7-101. Definitions
- § 7-102. Prohibited Substances
- § 7-103. Open Fires - General Regulations
- § 7-104. Open Fires in Village Center Zoning District
- § 7-105. Open Fires Exempted from Regulations
- § 7-106. Penalties for Violation

PART 1

OPEN FIRES

§ 7-101. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Part:

CONTROLLED OPEN FIRE'S - open fires and/or burning to clear land and/or to burn leaves, brush, and/or natural, untreated wood in an area exceeding 25 square feet.

GARBAGE - all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

OPEN FIRE - any fire which is burned outside an enclosed structure or building, including any smoldering and discharge of smoke.

PERSON - any individual, partnership association, corporation, department, bureau, agency or other legal entity.

REFUSE - garbage, rubbish and trade waste.

RUBBISH - solids not considered to be highly flammable or explosive including, but not limited to, rags, old clothes, leather, rubber carpets, tin cans, glass, crockery, masonry and other similar materials. This term shall be deemed to exclude wood, wood products, branches, paper and cardboard.

TRADE WASTE - all solid or liquid material or rubbish resulting from construction, building operations or the prosecution of any activity, business, trade or industry including, but not limited to, plastic products, cartons, paint, grease, oil, and other petroleum products, chemicals, cinders and other forms of solid or liquid waste materials; provided, that trade waste shall not include any coal refuse associated with the mining or preparation of coal.

(Ord. 12-10-2007, 12/10/2007, § 7-101)

§ 7-102. Prohibited Substances.

1. It shall be unlawful to burn any garbage, refuse, rubbish and/or trade waste within the Township of Lamar.
2. It shall be unlawful to burn any substance determined by the Commonwealth of Pennsylvania or the United States Environmental Protection Agency to be a hazardous substance or to burn any matter in violation of the Air Pollution Control Act or other legislation of the Commonwealth of Pennsylvania or the United States of America, within the Township of Lamar.
3. Fires shall be used only to burn branches, paper, cardboard, wood and other readily combustible materials.

(Ord. 12-10-2007, 12/10/2007, § 7-102)

§ 7-103. Open Fires - General Regulations

Open fires and/or open burning within the Township of Lamar shall be subject to the following general regulations:

A. All open fires must be attended at all times by an adult who shall be responsible to prevent the spread of the fire or hazardous conditions. The site of the fire shall be controlled so as to prevent endangerment to property or person or that results in uncontrolled burning of vegetation (i.e., field fire).

B. No fire shall be permitted to burn whenever drought or extreme weather conditions exist or when a ban on burning has been placed into effect by the Commonwealth of Pennsylvania or other competent governmental body. The Board of

Supervisors may prohibit any and all outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.

C. The person desiring to conduct a controlled open fire shall first notify the Clinton County Communications Center of the location and person responsible for said burn immediately prior to and following said burn. The person desiring to conduct a controlled open fire shall abide by and follow all directions issued by the Clinton County Communications Center.

(Ord. 12-10-2007, 12/10/2007, § 7-103)

§ 7-104. Open Fires in Village Center Zoning District

Open fires and/or open burning allowed in the Village Center Zoning District of the Township shall be permitted only upon private property and shall be conducted at least 20 feet from any building, property line or road line. Open fires and/or opening burning shall be confined in a non-combustible container, covered with a wire screen of one-half [inch] or smaller mesh, or in other suitable, non-combustible container, except for fires to clear land and/or to burn leaves, brush and/or natural, untreated wood (i.e., controlled open fires) which need not be confined to or covered by a non-combustible container.

(Ord. 12-10-2007, 12/10/2007, § 7-104)

§ 7-105. Open Fires Exempted from Regulations

The following types of fires are exempted from the regulations set forth in this Part:

A. Camp fires for warmth, fellowship, food preparation or ceremonial purposes by bona fide groups of individuals such as Boy Scouts or Girl Scouts, provided that such fires are wood.

B. Fires set for purposes of firefighting training by Township-designated firefighting organizations.

C. Cooking grills provided that reasonable safeguards are maintained.

(Ord. 12-10-2007, 12/10/2007, § 7-105)

§ 7-106. Penalties for Violation.

Any person violating any of the provisions of this Part shall first receive a violation warning.

A. Any person violating any of the provisions of this Part, after an initial violation warning, shall, upon conviction thereof, before any district justice, in a summary proceeding, be sentenced to pay a fine or penalty of not less than \$100 plus costs and not more than \$1,000 plus costs and, in default of the payment of the fine and costs, the defendant may be sentenced to the County jail for a period not exceeding 90 days. Each day upon which a violation continues or occurs shall constitute a separate offense.

B. Any person who suffers or permits on the property controlled by such person, or who conducts, any open fire and/or open burning of any materials in violation of this Part, after an initial violation warning, shall, for each offense, be subject to the provisions of § 4012(g) of the Air Pollution Control Act, as amended, 35 P.S. § 4012(g), as such now is or may in the future be amended providing for prosecution, costs, civil penalties, civil contempt, collection, lien and assessment of civil penalties under other provisions of the Air Pollution Control Act. Each day upon which a violation continues or occurs shall constitute a separate offense.

C. No penalty herein imposed shall prevent the Township from enforcing this Part by equitable, injunctive and other remedies.

(Ord. 12-10-2007, 12/10/2007, § 7-106)