

advertised  
for adoption @  
12-14-16 mtg.

ORDINANCE NO. 2016 - 5  
EAST BETHELEHEM TOWNSHIP  
WASHINGTON COUNTY, PENNSYLVANIA

**AN ORDINANCE OF THE TOWNSHIP OF EAST BETHLEHEM TOWNSHIP REGULATING OUTSIDE BURNING WITHIN EAST BETHLEHEM TOWNSHIP, SETTING TIME LIMITS AND TYPE OF MATERIAL TO BE BURNED, AND CONDITIONS UNDER WHICH BURNING MAY BE PERMITTED.**

BE IT ORDAINED AND ENACTED by the Board of Commissioners of East Bethlehem Township and it is hereby ordained and enacted by the authority of the same as follows:

Section 1

DEFINITIONS AS USED WITHIN THIS ORDINANCE.

**BURNING** - As used within this Ordinance "burning" shall have the following meaning: The igniting of any material to cause flame, smoke, embers, hot ash or residue, in combination or individually.

**BURN CONTAINER** - 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 surfaces in the structure. Outdoor fireplaces or incinerators shall be considered as burning containers for the purpose of this Ordinance. If metal drums are 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. *Exception:* Small recreational fires in a contained device and portable outdoor grills, fired by propane or charcoal, and designed for food preparation, are excluded from the provisions of this Ordinance.

**BURN CONTAINER COVER** - A metal screen with spaces not more than one-half (1/2) 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 maximum efficiency.

**BURNABLE MATERIALS** - Burnable materials shall include the following:

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

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

*Wood* - Includes any unpainted wood or wood product. Excluded and not permitted to be burned is 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.

**NON BURNABLE MATERIALS** - the following is a partial list of those materials that are classified as "non burnable" under the guidelines of this Ordinance:

- Plastic, rubber, oils, asbestos, composition boards, shingles, felt paper, canvas, fiberglass, vinyl or any other similar materials or any combination of the above with any other materials.
- Household furniture and tires.
- 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.
- Grasses, green twigs or leaves.

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

**SUNRISE/SUNSET** - A specific time of day, as determined and published by the US Weather Bureau locally, at which the sun rises and sets.

## Section 2

No person or corporation shall cause to be burned any Non Burnable Materials or any like or similar materials not in compliance or inconsistent with this Ordinance. It shall be illegal to burn any materials that give off any acrid, obnoxious or toxic odors, or emit heavy smoke.

## Section 3

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

## Section 4

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

## Section 5

No Burning Container or burn pile shall be used or stored within twenty-five (25) feet of any building or structure. No Burning Container shall be used or stored within twenty (20) feet of any property line or public sidewalk area. No Burning Container shall be used for any other purpose.

## Section 6

Any person or corporation who violates the provisions of this Ordinance shall, upon conviction, pay a fine not to exceed one thousand dollars (\$1,000) and the costs of prosecution, and in default therewith, undergo imprisonment for a period not to exceed thirty (30) days.

Section 7

If any clause, sentence or other provision of this Ordinance should be declared unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the remaining provisions of this Ordinance, and the East Bethlehem Township Board of Commissioners declares that it would have adopted this Ordinance had such unconstitutional, illegal or invalid provisions not been contained herein.

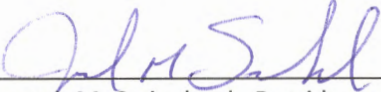
Section 8

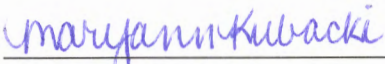
2000-5

East Bethlehem Township Ordinances Number .....are hereby repealed.

Adopted this 14th day of Dec, 2016

East Bethlehem Township Board of Commissioners

  
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Joseph M. Swinchock, President

  
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Maryann Kubacki, Secretary