

EAST BETHLEHEM TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 5000

AN ORDINANCE OF EAST BETHLEHEM TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA; ESTABLISHING RESTRICTIONS ON OUTDOOR FURNACES; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners for East Bethlehem Township, Washington County, Pennsylvania, is concerned about the ever increasing problems associated with outdoor furnaces for the residents of East Bethlehem Township; and

WHEREAS, the Board of Commissioners for East Bethlehem Township is aware of, and/or has received complaints of smoke and/or exhaust fumes from outdoor furnaces; and,

WHEREAS, in order to better protect the public health, safety, and welfare, and to protect and preserve the public health of the residents, the Board of Commissioners for East Bethlehem Township desires to adopt this Ordinance;

NOW THEREFORE, be it ORDAINED and ENACTED by the Board for East Bethlehem Township, Washington County, Pennsylvania, and it is hereby ORDAINED and ENACTED by the authority of the same as follows:

SECTION I. TITLE

This Ordinance shall be referred to as the “Outdoor Furnace Ordinance.”

SECTION II. DEFINITIONS

This Ordinance shall apply the following definitions in its application:

A. Outdoor Furnace - Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source.

B. Fuel - Any material, including wood, coal, corn, pellet, cloth, paper, and the like, capable of producing heat or energy and/or for the purpose of combustion and/or fire.

SECTION III. RESTRICTIONS

No outdoor furnaces shall be constructed, established, installed, operated and/or maintained in the Township unless specifically authorized by the Township after it has had an opportunity to review the location of said proposed outdoor furnace to determine whether or not it is consistent with the public health, safety and welfare of the residents.

SECTION IV. APPLICABLE FEES

Any outdoor furnace approved by the Township after review by the Township shall be subject to a fee of \$500.00 dollars. The fee is hereby established to defray the costs of inspections and/or review and is subject to change by resolution upon periodic review by the Township.

SECTION V. REPEAL OF INCONSISTENT ORDINANCES

Any Ordinance or part of an Ordinance of East Bethlehem Township inconsistent with the terms and conditions of herewith is hereby repealed to the extent of said inconsistency.

SECTION VI. SEVERABILITY

If any section, clause or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board for East Bethlehem Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included therein.

SECTION VII. SAVINGS CLAUSE

Should any provision or other part of this Ordinance be finally declared to be illegal, unenforceable, void or unconstitutional such shall not affect the remainder of this Ordinance, which shall nonetheless remain fully valid, binding and enforceable.

SECTION VIII. EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage or as otherwise authorized by law.

ORDAINED and **ENACTED** as an Ordinance for the Township of East Bethlehem by the Board of Supervisors of the Township of East Bethlehem this 14th day of April 2008.

ATTEST:

TOWNSHIP OF EAST BETHLEHEM

Maryann Kubacki
Secretary
Supervisors

By: [Signature]
Chairman, Board of

(SEAL)