

PROPOSED ORDINANCE NO. 203

AN ORDINANCE OF THE BOROUGH OF PATTERSON HEIGHTS, BEAVER COUNTY, PROHIBITING THE OUTDOOR BURNING WITHIN THE BOROUGH OF CERTAIN MATERIALS, REGULATING THE DAYS AND TIMES FOR THE BURNING OF PERMITTED MATERIALS, REGULATING THE MANNER AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

BE IT ORDAINED AND ENACTED BY THE Council of the Borough of Patterson Heights and it is hereby ordained and enacted by virtue of the authority of the same as follows:

Section 1. PURPOSE:

This Ordinance is enacted in the interest of the health, safety and welfare of the residents of the Borough of Patterson Heights for the prevention of fires and to eliminate nuisances caused by smoke, ashed and odors.

Section 2. MANNER OF BURNING PERMITTED MATERIALS: PROHIBITING BURNING OF CERTAIN MATERIALS

No person, firm or corporation shall burn any materials except as follows:

A. The burning of garbage, rubbish, plastics, rubber products and any other materials creating noxious or toxic smoke or fumes at any time is prohibited.

B. The burning of leaves at any time is prohibited.

C. The burning of any materials which are determined by Council to be recyclable under the terms of the Borough Recycling Ordinance, is prohibited.

D. The burning of salvaged or reclaimed products or materials and solid or liquid materials or rubbish resulting from construction, building operations or trade or business is prohibited.

E. Outdoor burning of dry easily combustable materials shall be permitted as follows:

1. Materials to be burned shall be burned in a container which prevents the dispersal of any materials during burning.

2. Burning shall be permitted on Tuesdays and Saturdays between the hours 9:00 A.M. and 4:00 P.M. except on the holidays of New Years Day, July 4th, and Christmas Day.

3. No such outdoor burning shall be kindled or maintained within twenty (20) feet of any building or structure or within ten (10) feet of any property line.

4. Such fires shall be constantly attended by a person sixteen (16) years of age or older until such fire is completely extinguished and a water supply shall be readily available to extinguish such fire. All such fires shall be completely extinguished by 4:00 P.M..

5. The burning of any material upon any street, road, alley or sidewalk is prohibited.

Section 3. EMERGENCY CONDITIONS:

In the event a fire hazard or emergency condition exists by reason of a dry season or other circumstances, the Council, Mayor or Fire Chief may, by proclamation, prohibit all outdoor burning of any kind for the duration of such emergency. Such proclamation shall be publicly announced through the news media within the Borough, and thereafter, no person shall kindle or maintain any outside fire whatever for the duration of such emergency.

Section 4. SEVERABILITY:

The provisions of this Ordinance are severable. If any portion of this Ordinance is for any reason soon found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining portions of this Ordinance. It is hereby declared to be the intent of the Borough Council of the Borough of Patterson Heights that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid portion not been included herein.

section 5. PENALTIES:

Any person who shall violate any of the provisions of this Ordinance or fail to comply herewith shall upon conviction before a District Magistrate, be subject to a fine of not less than Twenty-Five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars, plus costs of prosecution, for the first violation. Not less than Fifty (\$50.00) Dollars; nor more than Two hundred (\$200.00) Dollars plus costs of prosecution for a second violation and, not less than One Hundred (\$100.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars plus costs of prosecution for a third or additional violation.

ENACTED AND ORDAINED this 9<sup>th</sup> day of Sept., 1991.

BOROUGH OF PATTERSON HEIGHTS

Attest:

*Keith Dale*  
Secretary

BY:

*Karl G. Arnold*  
President of Council

1991.

EXAMINED AND APPROVED this

7<sup>th</sup>

day of

Oct. 1991.

*J. J. Deira*  
Mayor