

Borough Use Only:
 ___ Approval Conditions: _____

 ___ Denial Reason: _____

 Permit Number: _____

Franklinton Borough
P O Box 88
116 S Baltimore Street
Franklinton PA 17323
Phone: 717-432-4047
Fax: 717-502-8617
Email: ftownboro@comcast.net

Burning Permit Application

1. This is a valid certificate only when signed by the required 2 Borough Board Members.
2. This certificate does not relieve the permittees of any legal liability, which may be incurred as a result of the fire.
3. Failure to adhere to the conditions of the Certificate may result in penalties and/or enforcement actions.

This permit is not valid under the Following Conditions: *When national or state ambient air quality standards may be exceeded. * Where a hazardous health condition might be created. *When the forest fire danger is identified by the D.E.P. Commissioner as extreme and where woodland or grass land is within one hundred feet of the proposed burn. *When there is an advisory from the D.E.P. Commissioner of any air pollution episode. *Burning of any material other than brush. *On property other than residential property upon which the permittee resides.

I Declare I am the owner of the below address and that I will abide by the conditions of this permit as set forth and of the current burning ordinance provided to me at the issuance of this permit application. I understand that I must be present for the entirety of the burn.

Property Owner where burning will take place: _____
First, M.I. and Last *Date & time of Burn*

Address: _____
Street Address *Apartment/Unit #*

_____ *City* *State* *ZIP Code*
 Home Phone: () _____ Cellular Phone: () _____

Purpose of Burning: _____

Nature and quantities of materials to be burned: _____

Applicant Signature: _____ Date: _____

___ Approved ___ Denied _____ Date: _____
 Board Members Signature

___ Approved ___ Denied _____ Date: _____
 Board Members Signature

ORDINANCE NO. 278 -2011

AN ORDINANCE OF THE BOROUGH OF FRANKLINTOWN, COUNTY OF YORK, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE NUMBER 250-1997, KNOWN AS THE "CODE OF ORDINANCES," AMENDING PART 10, PUBLIC SAFETY, CHAPTER 4, OUTDOOR BURNING, BY REPLACING THAT CHAPTER IN ITS ENTIRETY.

Part 10, Public Safety, Chapter 4, Outdoor Burning, is hereby amended to read as follows:

CHAPTER 4 – OUTDOOR BURNING

Section 401: Open Burning and Outdoor Burning Prohibition

It shall be and is hereby declared to be unlawful for any person or entity to burn or permit to be burned any substances or maintain or permit to be maintained any fire out-of-doors on any tract of land within the Borough of Franklinton except for the following:

- a. Outdoor fires to cook food for human consumption provided the fire is confined to a fire ring, fireplace, charcoal or gas grill or other similar fireproof container;
- b. Fires used exclusively for burning small piles of brush or yard waste, provided that any such burning occurs at a distance of not less than twenty-five (25) lineal feet from the nearest point of any building and not less than ten (10) lineal feet from any boundary line of the tract of land on which said burning occurs;
- c. Upon the issuance of a permit from any two (2) members of Borough Council, kindling a fire for burning large piles of brush or yard waste. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.
 - 1) Where required by state law or regulations, open burning shall only be permitted with prior approval from the Bureau of Air Quality control or other State authority, provided that all conditions specified in the authorization are followed.

d. Bonfires, upon the issuance of a permit from any two (2) members of Borough Council, provided that:

- 1) The fuel for the bonfire shall not be more than five (5) feet long by five (5) feet wide by five (5) feet high in dimension. The size and duration of a bonfire shall be defined in the approval of the two (2) members of Borough Council;
- 2) Any such bonfire must occur at a distance of not less than one hundred (100) lineal feet from the nearest point of any building and not less than one hundred (100) lineal feet from any boundary line of the tract of land on which said bonfire occurs.

3) All bonfires must be completely extinguished at the end of the event. The end time will be noted on the permit.

e. Fires set or maintained for fire fighting training purposes.

Section 402: Additional Restrictions for ALL Burning Activities

a. It shall be and is hereby declared to be unlawful for any person, firm, partnership or corporation to burn any substance or maintain any fire upon any of the public streets, roads, highways, alleys, sidewalks, parks or other public grounds within and under the jurisdiction of the Borough of Franklinton unless specifically authorized in advance of such burning by specific authority of the Borough Council.

b. Burning which produces noxious smoke that could travel to an adjoining property and cause personal discomfort to the residents of that adjoining property or when atmospheric conditions or local circumstances make such fires hazardous shall not be permitted. Additionally, no burning shall be permitted between dusk and dawn of any day or on Sunday. All fires must be completely extinguished by the initiating property owner before dusk.

c. Any permitted open burning shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher, small hose line, or other approved on-site fire extinguisher equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

d. Open burning of refuse is prohibited. Refuse shall refer to any waste material including, but not limited to, construction and demolition waste but excluding trees, logs, brush, grass clippings and other vegetative matter.

e. Open burning of recyclable materials is prohibited.

f. Additional restrictions may be placed on fires by any two (2) members of the Borough Council or other duly authorized official of the Borough if it is determined that the situation is likely to constitute an unreasonable threat to people or property. During periods of low humidity, drought, high wind or other adverse weather conditions, the official may restrict burning to prevent the spread of fire. The two (2) members of Borough Council or other duly authorized official of the Borough shall have the authority to order the extinguishment of any fire in violation of this Ordinance or which creates an unreasonable threat to people or property. Prior to any approved exception of this burning ordinance to allow burning, the property owner must notify the Township Secretary or other duly authorized official of the Borough (717) 342-4969 of their intent to burn with the hours of burning stated.

Section 403: Penalties

Any person or entity who shall violate the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before a Magisterial District Judge, be sentenced to pay a fine not exceeding one thousand (\$1,000.00) dollars, plus costs of prosecution, and, in default of payment of such fines and costs, shall be imprisoned for not more than thirty (30) days in the county prison. Extinguishing costs may also be assessed as necessary.