

Chapter 73

BURNING, OUTDOOR

§ 73-1. Purpose.

§ 73-2. Regulation of burning; exceptions.

§ 73-3. Violations and penalties.

[HISTORY: Adopted by the Board of Supervisors of the Township of Branch 7-2-1990 as Ord. No. 2-90. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 65.

Woodburning stoves and heaters — See Ch. 155.

§ 73-1. Purpose.

This chapter is enacted in the interest of the health, safety and welfare of the residents of the Township of Branch for the prevention of damaging fires and to eliminate nuisances caused by smoke, cinders and ashes.

§ 73-2. Regulation of burning; exceptions.

All fires and burning shall hereafter be regulated as follows:

- A. No person shall burn any paper or refuse outdoors within the limits of the Township of Branch unless such fires are protected by burner drums or a masonry enclosure, which receptacles must be equipped with a top constructed so as to prevent fly ash from escaping into the atmosphere.

- B. No outside fire shall be kindled or maintained within ten (10) feet of any street line, building, the opening of any building or any property line unless, in the latter event only, the adjoining property owner agrees to allowing the fire to be kindled or maintained at such place which is within ten (10) feet of his property line.
- C. The burning of any material is prohibited upon any public street or alley.
- D. No fire shall be kindled or maintained before dawn or after dark.
- E. All fires must be tended and controlled by the party responsible for starting the fire at all times until the fire is out.
- F. The burning of garbage, vegetable waste, rubber, plastics, furniture, glass, metals or any other materials which will create nauseous or noxious fumes, smoke, toxic chemicals or excessive fly ash is specifically prohibited. However, it shall be lawful to burn paper and other refuse material that is readily combustible and will not create nauseous fumes, noxious smoke or excessive fly ash during the time not prohibited under Subsection D.
- G. Charcoal or wood fires kindled solely for the purpose of outside barbecues shall be permitted and not subject to the time limitations set forth under Subsection D.
- H. Fireplaces within a private residence are permitted for the purpose of providing heat, but in no event shall garbage, rubbish or trash be burned in such fireplaces.
- I. The burning of large brush piles or grass areas for the purpose of clearing land shall be permitted, provided that the township's Fire Chief and Schuylkill County Communications System are contacted twenty-four (24) hours in advance and advised of such plans, including the proposed time of the burning and the location, and approval is given by the Township Fire Chief so that the Fire Department may be aware of the location of said land and be able to stand by in case of emergency.

§ 73-3. Violations and penalties.

Any person who shall violate or fail to comply with any of the provisions of this chapter shall, upon conviction before a District Justice, be subject to a fine of not less than fifty dollars (\$50.) nor more than three hundred dollars (\$300.), plus costs of prosecution, for each violation. In the event of default in payment of the fine and costs, the violator shall be sentenced to serve a term of not more than thirty (30) days in the Schuylkill County Prison. Each day a violation exists shall constitute a separate offense and be punishable as such.