

ORDINANCE NO. # 320

AN ORDINANCE OF THE TOWNSHIP OF LOYALSOCK, LYCOMING COUNTY, PENNSYLVANIA AMENDING CHAPTER 94 "BURNING, OUTDOOR", OF THE CODIFICATION OF ORDINANCES OF LOYALSOCK TOWNSHIP.

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Loyalsock Township, Lycoming County, Pennsylvania, that Chapter 94, "Burning, Outdoor", be amended as follows:

ARTICLE 1

Sections 94-1 through 94-6 of Chapter 94, "Burning, Outdoor", are hereby repealed.

ARTICLE 2

Chapter 94, "Burning, Outdoor" of the Codification of Ordinances of the Township of Loyalsock is hereby amended as follows:

94-1. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this Chapter, have the meanings set forth in this section.

BONFIRE - A clean wood fueled outdoor fire used for ceremonial or celebration purposes.

COOKING FIRE - An outdoor fire used for the preparation of food.

OUTDOOR BURNING - A fire, the air contaminants from which are emitted directly into the outdoor atmosphere and not directed thereto through a flue/vent stack or chimney which is part of an inhabited building used for residential, business, industrial, or other public or private purposes.

OUTDOOR FURNACE - A device located outside an inhabited building and used to burn combustible materials for the purpose of generating heat inside the inhabited building. An outdoor furnace shall be considered an accessory structure for purposes of any other ordinance or regulation applying to or effective in the Township of Loyalsock including, but not limited to, Zoning Ordinance and Building Code. All outdoor furnaces must be approved by and listed by a recognized testing agency and must be used in accordance with the listing and manufacturer's instructions.

RECREATIONAL FIRE - A small wood burning fire used for family gatherings.

TRAINING FIRE - A controlled fire used for training of the Loyalsock Township Volunteer Fire Company and others in conjunction with the Loyalsock Township Volunteer Fire Company.

94-2. General prohibition on all outdoor burning.

Except as set forth in Sections 94-3 through 94-9 under no circumstances shall any person perform or cause to be performed or permit to be performed any outdoor burning of any material, including but not limited to, garbage, rubbish, refuse, trash, paper, paper products, rubber, wire, roofing shingles, plastic/synthetic materials, brush, trimmings, rakings, leaves, grass, wood, coal, wood products and other similar materials. Any existing outdoor burning device used to burn household waste must be removed and properly disposed of by August 31, 2007.

94-3. Outdoor Burning - Recreational fires.

Recreational fires are hereby permitted with the following stipulations:

- A. No fire shall be located within twenty (20) feet of any structure, building, tree or shrub.
- B. The fire shall not be located on any street, alley or public grounds within the Township unless so authorized by the Township Manager, Township Building Official or Codes Enforcement Officer.

94-4. Bonfires.

A bonfire may be made for purposes such as pep rallies, and public celebrations upon application submitted to the Township and approved by the Township Staff and Township Fire Company.

94-5. Cooking fires.

A fire for the preparation of foods are permitted (Gas grills, charcoal grills, etc.) provided that reasonable safeguards to prevent dangerous burning are followed.

94-6. Training fires.

A training fire may be made upon approval by the Loyalsock Township Board of Supervisors.

94-7 Other fires.

From time to time there may be a need for a property / business owner to conduct a controlled fire for a variety of maintenance or operational reasons, or for a controlled burn in conjunction with a federal, state, or local agency. These request may be permitted by the

Loyalsock Township Board of Supervisors on a case by case basis depending on the situation. The Loyalsock Township Volunteer Fire Company must be notified by the owner during burning.

94-8. Outdoor furnaces.

Outdoor furnaces may be constructed or installed with the following conditions:

- A. Outdoor furnaces that burn wood or coal shall be a minimum of 300 feet from any property line. Outdoor furnaces that burn oil or gas are exempt from this requirement.
- B. Outdoor furnaces must burn clean, seasoned wood, coal, oil or gas. All other types of fuel are prohibited.
- C. Outdoor furnaces that have been approved by and listed by a recognized testing agency and have been constructed, installed or in use as of the effective date of this ordinance are grand fathered.

94-9. Outdoor paper burning.

Any property owner whose residence is not connected to public sanitary sewer and/or public water lines is permitted to burn under the following conditions:

- A. The fire shall be contained in a noncombustible, ventilated container covered with a wire screen of ½ inch or smaller mesh or other suitable noncombustible cover so as to prevent pieces or particles from blowing away.
- B. The burning container must be on private property and must be located a minimum of 300 feet from any adjoining inhabited structure and 20 feet from any structure, building, tree, hedge or shrub.
- C. The fire shall exist only between the hours of sunrise and sunset Monday through Friday.
- D. The burning must be controlled and attended by an adult at all times.
- E. Only paper and paper products, excluding paper products that are required to be recycled (ie: newspaper and cardboard) may be burned.

94-10. Violations and penalties.

This chapter shall be enforced by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person who violates or permits the violation of this chapter shall, upon conviction in a summary proceeding, be punishable by a fine or not less than \$100.00 nor more than \$1,000.00 or by imprisonment for a term not exceeding 90 days. Each day or portion

thereof that such violation continues or is permitted to continue shall constitute a separate offense. Each section of this chapter that is violated shall also constitute a separate offense.

94-11. Enforcement.

Chapter 94 shall be enforced by the Township Codes Enforcement Officer, the Township Building Official, the Loyalsock Township Volunteer Fire Company Fire Chief, Loyalsock Township Volunteer Fire Company Fire Inspector and any other person or persons approved by resolution of the Board of Supervisors of Loyalsock Township.

ARTICLE 3

.This Ordinance shall become effective ten days after the date of its adoption

ENACTED AND ORDAINED at a meeting of the Board of Supervisors of Loyalsock Township, Lycoming County, Pennsylvania, the _____ day of _____, 2007,

**LOYALSOCK TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

SECRETARY