

Borough of Evans City, PA
Thursday, January 7, 2016

Chapter 74. BURNING, OPEN

[HISTORY: Adopted by the Borough Council of the Borough of Evans City 9-1-1998 by Ord. No. 480. *Editor's Note: This ordinance also superseded former Ch. 74, Burning, Open, adopted 11-1-1976 by Ord. No. 348 as Part 15, Art. 1505, of the 1976 Code, as amended.* Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention — See Ch. 94.

Property maintenance — See Ch. 139.

Garbage disposal — See Ch. 146, Art. I.

§ 74-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BONFIRE

A fire in the open air, cleanup of construction or demolition sites; for a beacon; or in honor of some person or event. The combustibles in a bonfire may only include rubbish as hereinafter defined.

CONTAINER

Any metal or brick container, such as a metal barrel or basket or brick fireplace or incinerator, which contains the burning rubbish. The container must have a metal screen cover completely covering the top of the container, having three-fourths-inch mesh or smaller.

RUBBISH

Burnable waste materials limited to wood, cardboard and paper. Leaves are specifically excluded from this definition.

§ 74-2. Burning restrictions.

- A. No person shall kindle or maintain any bonfire or authorize any such fire to be kindled or maintained on or in any public street, alley, road or other public ground.
- B. During construction or demolition of buildings or structures, no rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper written authorization from the Borough.
- C. No person shall kindle or maintain any bonfire or containerized rubbish fire or authorize any fire to be kindled or maintained on any private land unless:
 - (1) The location is not less than 30 feet from any structure and adequate provision is made to prevent fire from spreading to within 30 feet of any structure; or
 - (2) The fire is contained in an approved waste burner located safely not less than 10 feet away from any structure.

- D. Bonfires and rubbish fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply or other fire-extinguishing equipment readily available for use.
- E. The Code Official may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous. No bonfire or outdoor rubbish fire shall be permitted when the Borough Council declares, and during the period of, a Stage 2 drought warning and/or a Stage 3 drought emergency under the Borough's Water Shortage Response Plan.

§ 74-3. Time and day limitations.

[Amended 1-7-2013 by Ord. No. 551]

No person may start or maintain a containerized rubbish fire or bonfire within the Borough, except:

- A. On Wednesdays when school (Seneca Valley School District) is not in session, from 7:00 a.m. to 7:00 p.m.
- B. On Wednesdays when school (Seneca Valley School District) is in session, from 4:00 p.m. to 7:00 p.m.
- C. On Saturdays from 7:00 a.m. to 7:00 p.m.

§ 74-4. Exemptions.

The provisions of this chapter shall not apply to small recreational fires as that term is used in its common meaning.

§ 74-5. Violations and penalties.

Any person violating § **74-2B** or **74-2E** shall be subject to a fine not to exceed \$600 per offense or, upon failure to pay such fine, shall be imprisoned for not more than 30 days. Whoever violates or fails to comply with any other provision of this chapter shall be fined not more than \$50 for each offense or, upon failure to pay such fine, shall be imprisoned for not more than 10 days.