

Chapter 73

BURNING, ALLOWABLE

§ 73-1. Conditions under which burning is allowed; approval; inspection fee.

§ 73-2. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Bechtelsville 11-12-2008 by Ord. No. 295. Amendments noted where applicable.]

GENERAL REFERENCES

Property maintenance — See Ch. 157.

§ 73-1. Conditions under which burning is allowed; approval; inspection fee.

Open burning shall be allowed without prior notification to the Borough Code Enforcement Officer for highway safety flares, smudge pots, and similar occupational needs. In addition, burning shall be allowed on the first weekend of every month for the burning of nontoxic materials only, such as wood, paper, and cardboard, in a nonflammable container, including chimineas, portable fireplaces, or burn barrels, under the following conditions:

- A. The nonflammable container or burn barrel must be located not less than 15 feet from any structure and must be placed on a noncombustible surface of at least eight feet by eight feet.
- B. The nonflammable container or burn barrel must have a wire mesh covering, not to exceed 1/2 inch square.
- C. Chimineas, portable fireplaces, and fire pits must also be located a minimum of 15 feet from any structure and must be located on a noncombustible surface of at least eight feet by eight feet.
- D. Prior to burning in any nonflammable container, burn barrel, chiminea, portable fireplace, or fire pit, the container and its location will have to be approved by the Fire Chief of the Keystone Fire Company. If approved, the Fire Chief shall issue a permit to the property owner. The inspection fee shall be \$20, payable to Keystone Fire Company. This shall be a one-time fee. The amount of the fee may be changed from time to time by resolution of the Borough Council.
- E. Burning in burn barrels shall be allowed only from sunrise to sunset. Burning in chimineas, portable fireplaces, or fire pits may occur at any time, provided that the container is attended at all times by an adult individual.
- F. Burning must be constantly attended until the fire in the receptacle is extinguished.
- G. Smoldering fires are prohibited.

§ 73-2. Violations and penalties. [Added 4-8-2009 by Ord. No. 298]

- A. Any person violating the provisions of this chapter shall be subject to a fine of not less than \$100 nor more than \$600 for each violation, recoverable with costs. Each day that the violation continues shall constitute a separate offense and the applicable fines are cumulative.

- B. In addition, the municipality, through its solicitor, may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this chapter. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.