

CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

PART 1

OPEN BURNING

- §101. Title
- §102. Definitions
- §103. Prohibition on the Burning by Open Fire of Garbage, Rubbish, Trade Wastes, Natural Vegetation and for Salvage Operations
- §104. Exceptions
- §105. Enforcement
- §106. Penalties

PART 1
OPEN BURNING

§101. TITLE.

This Part shall be known as the "Upper Makefield Township Open Burning Ordinance."

(Ord. 239, 9/5/2001, §I)

§102. DEFINITIONS.

When used in this Part, the following words and terms shall have the following meanings, except where the context indicates a different meaning:

GARBAGE - all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

NATURAL VEGETATION - tree branches, tree leaves and yard trimmings.

OPEN FIRE - any fire not in a building, incinerator or furnace.

RUBBISH - solids not considered to be highly flammable or explosive including, but not limited to, tires, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, furniture, tin cans, glass, crockery, masonry and other materials.

SALVAGE OPERATION - any business, trade or industry engaged in whole or in part in salvaging or reclaiming any product or material including, but not limited to, metals, chemicals, shipping containers or drums.

TRADE WASTES - all solid or liquid material or rubbish resulting from construction, building operations, or the prosecution of any business, trade or industry including, but not limited to, plastic products, carton, paint, tar paper, grease, oil and other forms of solid or liquid waste materials.

(Ord. 239, 9/5/2001, §I)

§103. PROHIBITION ON THE BURNING BY OPEN FIRE OF GARBAGE, RUBBISH, TRADE WASTES, NATURAL VEGETATION AND FOR SALVAGE OPERATIONS.

The burning by open fire of garbage, rubbish, trade wastes, natural vegetation or for salvage operations shall not be permitted in Upper Makefield Township.

FIRE PREVENTION AND FIRE PROTECTION

(Ord. 239, 9/5/2001, §1)

§104. EXCEPTIONS.

Burning by open fire is permitted without regard to the provisions of §103 hereof, only in the following circumstances and with the approval of the Fire Marshal via the issuance of a "burning permit." Any burning approved by the Pennsylvania Department of Environmental Protection or the Township Fire Marshall requires compliance with all guidelines set forth in the BOCA National Fire Prevention Code, as adopted by Upper Makefield Township.

- A. Any fire set for the purpose of instructing personnel in firefighting, when approved by the Pennsylvania Department of Environmental Protection.
- B. Any fire set for the prevention and control of disease or pests, when approved by the Pennsylvania Department of Environmental Protection.
- C. Any fire set solely for recreation or ceremonial purposes approved by the Upper Makefield Township Fire Marshal.
- D. Any fire set solely for cooking food.
- E. Burning incidental to normal farming operations, e.g., burning of seed bags.
- F. Burning by open fire is prohibited on Sundays and on Thanksgiving Day.

(Ord. 239, 9/5/2001, §1)

§105. ENFORCEMENT.

The Chief of Police, Police Officers, Licenses and Inspection Code Officials and the Township Fire Marshal or Assistant Fire Marshal, are charged with the duty of enforcing the provisions of this Part.

(Ord. 239, 9/5/2001, §1)

§106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 239, 9/5/2001, §I)

