

Chapter 7

Fire Prevention and Fire Protection

Part 1 Open Burning

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Part 1**Open Burning****§7-101. Definitions.**

The following words, when used in this Part, shall have the meanings hereby respectively ascribed thereto:

Garbage—all animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

Recreational burning—burning for the purpose of entertainment, e.g., campfires, grills and outdoor cooking, (marshmallows, hot dogs, etc.).

Refuse—discarded articles or materials, not including garbage, but including junk, and combustible and noncombustible waste other than rubbish as hereinafter set forth.

Rubbish—combustible organic and inorganic matter specifically limited to dried leaves, tree branches, other plant material, paper, cardboard, wood and other combustible building material. These materials must be solids, and not considered highly flammable or explosive.

(Ord. 178, 9/15/2009)

§7-102. Prohibition.

Within the Borough of Port Matilda limits, no person shall:

A. Burn on any street or sidewalk in the Borough at any time, or under any circumstances.

B. Burn in a building on any public or private ground in the Borough unless the structure is a stove, furnace, fireplace or other designed container for fire.

C. The fire can be outside if confined to a safe metal or other noncombustible container or receptacle. Fires in approved containers must be kept under observation by an adult person until the fire is extinguished.

D. Burning in an approved container is only allowed from the hours of 7 a.m. to 7 p.m.

E. No person or persons shall burn or attempt to burn anywhere in the Borough, any garbage or refuse or any other materials other than rubbish.

(Ord. 178, 9/15/2009)

§7-103. Exceptions.

Exceptions to this Part are:

A. Recreational burning.

B. A fire burned under direct control of a recognized volunteer or paid fire company shall be permitted if necessary for:

(1) The prevention of a fire hazard which cannot be abated by other means.

(2) The protection of public health.

C. Other exceptions may be made by the Port Matilda Borough Council when petitioned, and shall be granted when the circumstances reasonably require outside burning, and do not present a hazard or annoyance to persons or property. No such burning shall be performed until after the granting of a waiver to this Part.

(Ord. 178, 9/15/2009)

§7-104. Recreational Fires.

Regulations governing recreational fires:

- A. Only charcoal, LP gas or wood may be used to fuel recreational burning.
- B. All recreational burning must be tended at all times until the fire is out.
- C. Recreational burning which creates or adds to hazardous circumstances in the judgment of the Mayor or Borough Council as a whole, or a Borough Manager, may be ordered extinguished and discontinued.
- D. Recreational fires shall only be allowed in the park in the provided grills, or grills brought into the park, and must follow all parts of this Part governing a recreational fire.
- E. The recreational fire must be manageable by a single person. Manageable will be determined by paragraph .C above.
- F. The recreational fire must be no larger than a 4-foot wide radius.
- G. Any fire must be at least 10 feet from all property lines.

(Ord. 178, 9/15/2009)

§7-105. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 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. 178, 9/15/2009)