

## **Chapter 7**

### **Fire Prevention and Fire Protection**

#### **Part 1 Open Burning**

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

For the purpose of this Part, the following terms have their meanings respectively ascribed to them in this Section unless from the particular context it clearly appears that some other meaning is intended:

*Furnace* - any enclosed device specifically designed for the burning of any material for heat.

*Open burning* - any unclosed fire outside a building.

*Open fire* - a fire in which any material is burned in the open or in a receptacle other than a furnace.

*Person* - any individual, partnership, association, syndicate, company, firm, trust, corporation or other entity recognized by law as the subject of rights and duties, including any governmental agency.

(*Ord. 95-1, 8/2/1995, §1*)

**§7-102. Prohibited Activities.**

Except as specifically provided in §7-103, no person shall:

A. Ignite, feed, or maintain any open fire or cause, suffer, or permit any open fire whatsoever in any public or private place within the limits of the Borough of Glendon.

B. Cause, suffer, allow, or permit the maintenance of an open fire on any property under his, her, or its control outside of any building.

C. Fail, neglect, or refuse to comply with any abatement notice served on such person.

(*Ord. 95-1, 8/2/1995, §2*)

**§7-103. Exceptions.**

The prohibited activities set forth in §7-102 do not apply when the open burning operation result from the following activities provided that a permit has been secured from the Mayor to conduct the activity:

A. A fire set to prevent or abate a fire hazard, when approved by the Department of Environmental Protection or the Mayor and under the supervision of a public officer. [*Ord. 2006-1*]

B. Any fire set for the purpose of instructing firefighting when approved by the Mayor.

C. A fire set for the prevention or control of disease or pests when approved by the Mayor and under the supervision of a public officer.

D. A fire set for recreation or ceremonial purposes when approved by the Mayor.

E. A fire set in a receptacle solely for cooking food; such fire shall not require the issuance of a permit.

F. A fire set on a lot of ½ acre or more in size for the burning of large quantities of brush and branches and done in compliance with all Federal and State statutes and the Pennsylvania Department of Environmental Protection Regulations.

(*Ord. 95-1*, 8/2/1995, §3; as amended by *Ord. 01-2*, 7/11/2001, Art. I; and by *Ord. 2006-1*, 12/6/2006)

#### **§7-104. Permits.**

The fee for a burning permit shall be in an amount as established from time to time by resolution of Borough Council. The permit shall be valid for a period of 7 days from date of issuance. All burning shall be conducted in compliance with the following permit regulations: [*Ord. 2006-1*]

A. Permit applicant must contact Northampton County Control Center prior to setting the burn, with name, location of burn, and permit number.

B. The permit for the exception set forth in §7-103.F shall only be for burning brush and branches. It is illegal to burn stumps, tires, demolition debris, wire insulation, plastics or any other materials deemed to be hazardous by the Pennsylvania Department of Environmental Protection. [*Ord. 2006-1*]

C. Fires shall be no closer than 50 feet from any building or from any property line.

D. Fires are permissible only between the hours of sunrise and sunset.

E. Fires must be tended by an adult at all times.

F. Fires must have a water supply within 100 feet of the fire, together with a rake or similar hand tool to control embers.

G. Fires must be completely extinguished before sunset.

H. Burning must be conducted in a safe manner, and may not constitute a nuisance or jeopardize the health and welfare of other residents.

I. Fires must comply with all other terms and conditions of this Part and all Federal and State statutes and the Pennsylvania Department of Environmental Protection regulations.

J. The Borough of Glendon reserves the right to deny or revoke a permit if, in the opinion of the Mayor, dry or drought conditions exist. [*Ord. 2006-1*]

(*Ord. 95-1*, 8/2/1995; as added by *Ord. 01-2*, 7/11/2001, Art. II; and as amended by *Ord. 2006-1*, 12/6/2006)

#### **§7-105. Enforcement.**

The Mayor of the Borough of Glendon or such other persons as may be designated from time to time by the Glendon Borough Council shall have the following powers and duties:

A. To enforce the provisions of this Part.

B. To receive and initiate complaints or violations of this Part.

C. To enter and inspect any property, premises, or place for the purpose of investigating an actual or suspected source of open burning or for the purpose of ascertaining compliance or noncompliance with this Part.

D. To send written notice of any violation of this Part to such person or persons of said violations.

E. To order any person or persons responsible for any violation of this Part to abate said violation.

F. To institute prosecution for the violation of this Part.

G. To issue or deny permits for open fires. [*Ord. 2006-1*]

(*Ord. 95-1, 8/2/1995, §4; as amended by Ord. 01-2, 7/11/2001, Art. III; and by Ord. 2006-1, 12/6/2006*)

**§7-106. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not less \$50 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. 95-1, 8/2/1995, §5; as amended by Ord. 2006-1, 12/6/2006*)

