

**BOROUGH OF BESSEMER
LAWRENCE COUNTY,
PENNSYLVANIA**

ORDINANCE NO. 5 2012

BURNING ORDINANCE

AN ORDINANCE OF THE BOROUGH OF BESSEMER REGULATING OUTSIDE BURNING WITHIN THE BOROUGH; SETTING TIME LIMITS, DEFINITIONS, TYPE OF MATERIAL TO BE BURNED, CONDITIONS UNDER WHICH BURNING MAY BE PERMITTED, DESIGNATING AN ENFORCEMENT OFFICER, AND PENALTIES FOR VIOLATIONS.

BE IT ORDAINED and enacted by the Bessemer Borough Council and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. Definitions

Burning - As used within this Ordinance "**burning**" shall have the following meaning. "The igniting of any material to cause flame, smoke, embers, hot ash or residue, in combination or individually."

Burnable Materials - Burnable materials shall include the following:

Paper - includes newsprint, wrapping paper, paper products or sheet paper items.

Excluded and **not** permitted to be burned are paper used to absorb oils or other noxious or toxic materials; plastic coated paper; paper attached to other non-burnable materials, or any other paper product that is wet.

Cardboard & Chipboard - Includes cardboard & chipboard boxes, sheets, packing materials, etc.

Excluded and **not** permitted to be burned are materials used to absorb all oil or other noxious or toxic materials: cardboard or chipboard in combination with any other non-burnable materials.

Wood - Includes any unpainted wood or wood product, grass, leaves and twigs.

Excluded and **not** permitted to be burned are any wood that has been chemically treated to prevent rot or moisture damage, or other similar treatment; wood products that have high glue content, such as Flake board or Composition Board; and wood products in combination with any non-burnable materials.

Non-Burnable Materials - the following is a partial list of those materials that are classified as "**Non-Burnable** " under the guidelines of this Ordinance.

Plastic; rubber; oils; asbestos; composition boards; shingles; felt paper; canvas; fiber glass; vinyl; or any similar materials; or any combination of the above with any other materials.

Human or animal waste; sanitary napkins; diapers; food solids; oil filters; or any other materials individually or in combination, that emit smoke, or acrid, obnoxious or toxic odors.

The above is a partial list of those items and materials prohibited under the guidelines of this Ordinance. Any other materials that do not comply fully with the intent of this Ordinance, or otherwise create a nuisance to people or animals are strictly prohibited.

Sunrise/Sunset - A specific time of day, as determined and published by the U.S. Weather Bureau locally, at which the sun rises and sets.

Section 2. No person or corporation shall cause to be burned any of the above Non-Burnable Materials, or any like or similar materials not in compliance, or inconsistent with this Ordinance. It shall be illegal to burn any materials that give off any acrid, obnoxious or toxic odors, or emit heavy smoke.

Section 3. Burning, in compliance with this Ordinance, shall be permitted only between the hours of sunrise and sunset. Under no conditions shall burning, as defined herein, be permitted between the hours from sunset to sunrise. Fires allowed to burn or smolder after sunset shall be in violation of this Ordinance, and all those persons or corporations causing such fires shall be prosecuted under the guidelines of this Ordinance

Exception: Portable outdoor grills, fired by propane or charcoal, and designed for food preparation, outdoor campfires or small bonfires for cooking, ceremonies, or recreational use, provided they do not cause a nuisance and are fueled by clean firewood only, are excluded from the provisions of this Ordinance.

Section 4. Burning, in compliance with this Ordinance, shall be attended at all times by an individual fourteen (14) years or older until such time as the flame has subsided completely. Unattended burning shall be in direct violation of this Ordinance, and all persons or corporations causing and allowing such unattended burning shall be prosecuted under the guidelines of this Ordinance.

Section 5. No burning shall be within twenty-five (25) of any building or structure.

Section 6. Any and all Borough Police Officers and Fire Chief are hereby granted the authority and responsibility for inspecting outside burning for compliance with this Ordinance. In the event any violations of this Ordinance are found to be in existence at the time of inspection, the Police Officer or Fire Chief is hereby charged with the responsibility of issuing warnings or citations, as merited, for all violations of this Ordinance.

Section 7. Any person or corporation who violates the provisions of this Ordinance shall, upon conviction, pay a fine not to exceed one thousand dollars (\$1000.00) and the costs of prosecution, and in default therewith, undergo imprisonment in the County Prison for a period not to exceed thirty (30) days.

Section 8. If any clause, sentence or other provisions of this Ordinance should be declared unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the remaining provisions of this Ordinance, and the Borough Council declares that it would have adopted this Ordinance had such unconstitutional, illegal or invalid provisions not been contained herein.

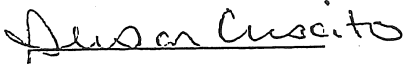
Section 9. All other Ordinances inconsistent with this Ordinance are hereby repealed insofar, but only insofar, as they are inconsistent herewith.

ORDAINED AND ENACTED by Borough Council of the Borough of Bessemer at a regular meeting of the Borough Council on this 10th day of September 2012.

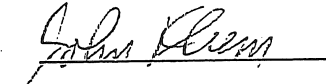
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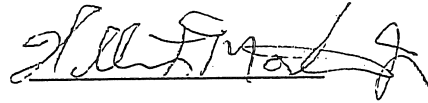
BESSEMER BOROUGH COUNCIL



Secretary



President



Mayor