

ORDINANCE NO. 77

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, WESTMORELAND COUNTY, PENNSYLVANIA, REGULATING THE SETTING AND MAINTENANCE OF OUTDOOR FIRES AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Washington Township Supervisors have determined that it is in the best interests of the health, safety and welfare of the residents of the Township of Washington to eliminate nuisances caused by smoke, cinders and ashes; and

WHEREAS, the Washington Township Supervisors have likewise determined that it is in the best interests of the health, safety and welfare of the residents of the Township of Washington to attempt to prevent uncontrolled fires and to attempt to eliminate unnecessary calls and false fire alarms to the Washington Township Fire Department and to attempt to protect both public and private property within the Township of Washington; and

THEREFORE, the Board of Supervisors of Washington Township hereby ordains and enacts as follows:

SECTION 1. Outdoor fires shall not be set or maintained except in accordance with and subject to the following regulations:

- A. Outdoor burning of domestic refuse shall be conducted in fireproof containers located at least fifteen (15) feet from the nearest building or structure.
- B. Outdoor fires set for the purpose of burning of tree limbs, branches, tree trunks, cut brush, bushes, shrubbery, vines, grass or leaves shall not take place within thirty (30) feet of the nearest building or structure.

- C. The burning of objects or materials which generate offensive, toxic or hazardous odors, smoke or gases is prohibited.
- D. Outdoor burning after sunset or before sunrise is prohibited, with the exception of the following:
  - 1. An outdoor fire set and maintained for recreation purposes only, attended constantly by at least one (1) adult person and contained within a fireplace or fireproof container.
  - 2. An outdoor fire set and maintained for cooking purposes only when contained within an appliance designed and used for the purpose of preparing food.
- E. No fire shall be set or maintained on any public road or public property.
- F. No outdoor fire shall be set or maintained which endangers any property, building or structures.
- G. No outdoor fire shall be permitted to burn whenever drought or extreme weather conditions exist or when a ban on burning has been placed into effect by an agency of the Commonwealth of Pennsylvania or by the Washington Township Supervisors provided that notice of a ban on burning imposed by the Washington Township Supervisors shall be given to the public by publication in a newspaper of general circulation within Washington Township and by posting a notice of the burning ban at the Washington Township office.
- H. No outdoor fire shall be set or maintained unless constantly attended by at least one (1) adult person.

SECTION 2. Outdoor fires may be set and maintained in accordance with the following regulations:

- A. An outdoor fire for the purpose of cooking may be set and maintained within fifteen (15) feet of a building or structure provided that the fire is contained within an appliance designed and used for the purpose of preparing food.
- B. The burning of fields or farmland for the purpose of removing weeds or dead grass may be done at any time between the hours of sunrise and sunset provided that the persons so burning notifies the Washington Township Fire Department or the Washington Township Police Department at least forty-eight (48) hours in advance of the time and place of the proposed burning.
- C. Any fire set to prevent or abate a fire hazard when set by the Washington Township Fire Department and when under the supervision of the Washington Township Fire Department.
- D. Any fire set for the purpose of instructing personnel in fire fighting when set, maintained and supervised by the Washington Township Fire Department.
- E. Any fire set for the prevention and control of disease or pests when set, maintained and supervised by the Washington Township Fire Department.
- F. Any fire set in connection with the production of agricultural commodities in their unmanufactured state on the premise of a farm operation.

G. On public property in a designated area which has been set aside for open fires and in an appropriate container or outdoor fireplace which has been provided to contain such fire.

SECTION 3. Any outdoor fire set or maintained in an unsafe manner, under adverse or drought weather conditions, unsupervised or in any other way unsafe shall be extinguished immediately upon demand by any Washington Township fireman or police officer.

SECTION 4. Any person who violates any provision of this Ordinance shall, upon summary conviction before a District Magistrate, be sentenced to pay a fine of up to One Thousand (\$1,000.00) Dollars and/or undergo imprisonment in the Westmoreland County Detention Center for a period of up to ninety (90) days, or both, provided further that the minimum fine upon any second or subsequent conviction shall be One Hundred (\$100.00) Dollars higher than the previous fine imposed up to the maximum fine permitted by law.

ORDAINED and ENACTED into law this 13th day of July, 1989.

Ireland T. Fieel  
Chairman  
Burl Z. Slangenbarger  
Vice Chairman  
Herbert Coulter  
Supervisor

ATTEST:

Audrey A. Sestrow  
Secretary