

Chapter 53
BURNING, OUTDOOR

§53-1. Title.	§53-6. Permit Requirements
§53-2. Purpose	§53-7. Violations and Penalties
§53-3. Definitions	§53-8. Enforcement
§53-4. Prohibitions	§53-9. Repealer
§53-5. Exceptions	§53-10. Effective Date

[HISTORY: Adopted by the Borough Council of the Borough of Langhorne Manor 07-07-1998 as Ord. No. 1998-1]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 45.

Fire prevention — See Ch. 76.

§53-1. Title.

This chapter shall be known as the "Langhorne Manor Borough Outdoor Burning Ordinance," and the same shall be a supplement to the Fire Prevention Code of the Borough as adopted on May 12, 1970, as recommended by the American Insurance Association, 1965 Edition.

§53-2. Purpose.

The purpose of this Ordinance is to provide for the health, safety and welfare of the citizens of and protection of property within the Borough of Langhorne Manor.

§53-3. Definitions.

Garbage—All animal or vegetable matter or refuse, including but not limited to, offal from meat, fish, fowl, fruits, vegetables, or parts thereof and other articles and materials ordinarily used for food or human or animal consumption.

Rubbish—Leaves, grass, yard cuttings, branches, brush, christmas trees, manufactured articles (including appliances, batteries, furniture, mattresses, plastics, tires), chemicals and chemical preparations (including explosives and volatile liquids) paper products (including newspapers, periodicals, cardboard and all other wastepaper) and any other customary household waste, including construction and building materials and the waste and debris resulting from the use of all aforementioned items.

Other Material—Combustibles that do not meet the definition of garbage or rubbish.

§53-4. Prohibitions.

Except as otherwise provided in Section 5 of this Ordinance, no person shall burn or allow, cause, suffer, or permit to be burned outdoors, for any purpose, any garbage, rubbish, or other material.

§53-5. Exceptions.

Nothing in this Ordinance shall be construed to prohibit any of the following outdoor burning operations:

- (a) Operation of an outdoor grill or fireplace for the preparation of food;
- (b) Burning of wax or oil candles and torches used for decorative purposes or insect control when operated in such manner as to prevent the spread of fire;
- (c) Operation of equipment used for building or construction (for example, welding and plumbing torches, roofing equipment);
- (d) Under emergency circumstances, fire when set by or under the supervision of a state, county, or local fire marshall or fire chief;
- (e) Any fire set by a non-profit tax-exempt educational institution, philanthropic organization, religious organization, or traditionally recognized youth group, which is set solely for ceremonial purposes, provided however, that each such fire must be approved by the Fire Chief in the form of a written permit, as described in Section 6 of this Ordinance.
- (f) Burning of tree limbs and brush in a noncombustible container or structure, provided that such container is situate on private property and not within the paved cartway of any street or road within the Borough and the location thereof shall be not less than fifty (50') feet from any structure. Fire shall be constantly attended by a competent adult person and adequate provision shall be made to prevent the fire from spreading to within fifty (50') feet of any street. Such prevention shall include but not be limited to immediate accessibility to public water supply system via connection to a hose with a diameter of not less than one-half (½") inch hose or other adequate fire-extinguishing equipment immediately available for use.

§53-6. Permit Requirements.

Prior to maintaining an outdoor fire under Section 5(e) of this Ordinance, the applicant shall complete the appropriate documentation, shall pay a fee of Fifty (\$50.00) Dollars, shall submit proof that the fire is compliant with the provision of the qualified exception, shall supply copies of the corporate charter, the statement of non-profit purposes, the tax-exempt certification from the Internal Revenue Service, and a statement from the President or similar position of authorization in the parent organization that the fire proposed is sanctioned and in furtherance of the organization's purposes. Said applicant shall comply with all conditions set by the Fire Marshall and shall provide a copy of the permit to the President of the Borough Council at least seven (7) days before the scheduled event.

§53-7. Violations and Penalties.

- (a) Any person who violates or fails to comply with the provisions of this Chapter shall be subject, upon summary conviction for each violation, to a fine of not more than One Thousand

Dollars (\$1,000.00), plus costs of prosecution and, in default of payment of such fine and cost, shall be subject to imprisonment for not exceeding thirty (30) days.

(b) Each violation of any of the provisions of this Chapter and each day that a violation shall continue shall constitute a separate offense and shall be punishable and subject to the fines set forth in subsection (a) as a separate offense.

(c) Fines and costs imposed under the provisions of this Chapter shall be enforceable and recoverable by the Borough in the manner provided under then applicable law.

(d) The imposition of the penalties herein prescribed shall not preclude the Borough from initiating appropriate actions or proceedings at law or in equity to effect the purposes of this Chapter or to enjoin violations of provisions of this Chapter.

§53-8. Enforcement.

This Ordinance shall be enforced by the Police Officers, Code Enforcement Officer, Fire Marshall and Fire Chief of the Borough and their duly authorized representatives.

§53-9. Repealer.

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed and the Ordinance entitled "Langhorne Manor Borough Outdoor Fire Ordinance" adopted October 2, 1979 as Ordinance No. 125 is specifically repealed in its entirety.

§53-10. Effective Date.

This Ordinance shall be effective immediately upon adoption.

ORDAINED and ENACTED this *17th* day of *July*, 1998.

ATTEST:

COUNCIL FOR THE BOROUGH OF
LANGHORNE MANOR

Dorothy E. Davidson
Dorothy E. Davidson, Secretary

By: *Maryann Barnes*
Maryann Barnes, President

APPROVED this *10th* day of

July, 1998.
Frank I. Thompson
Frank I. Thompson, Mayor