

ORDINANCE NO.
08-1

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MANOR TOWNSHIP, ARMSTRONG COUNTY, PENNSYLVANIA REGULATING OUTDOOR BURNING WITHIN THE TOWNSHIP; PROHIBITING THE BURNING OF CERTAIN MATERIALS; CONTAINING CERTAIN MISCELLANEOUS PROVISIONS; AUTHORIZING THE BOARD OF SUPERVISORS TO DECLARE A FIRE BAN EMERGENCY; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE; CONTAINING REPEALER PROVISIONS; CONTAINING A SAVINGS CLAUSE; AND SETTING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, the Board of Supervisors for Manor Township finds the need to establish certain regulations concerning outdoor burning within the Township; and

WHEREAS, the Board of Supervisors finds the following to be in the best interest of the health, safety and welfare of the residents of Manor Township;

NOW, THEREFORE, be it Enacted and Ordained by the Board of Supervisors of Manor Township and it is Enacted and Ordained under 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, pyrolysis, or residue, in any combination or individually. “

Exception: Portable outdoor grills, fired by propane or charcoal, and designed for food preparation, are excluded from the provisions of this Ordinance. Camp Fires are permitted only if the fire is contained in a fire ring constructed of non- combustible materials and the fire is supervised by an adult over the age of 18.

Burnable materials- Burning materials shall include the following:

Paper- Includes newsprint, wrapping paper, paper products or sheet paper items. Paper used to absorb oils or other noxious or toxic materials; plastic coated paper attached to other non-burnable materials, or any other product that is wet shall not be included as burnable paper products and are hereby prohibited from burning.

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 products. 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 a high glue content, such as Flakeboard or Composition board; and wood products in any 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.

Grasses; grass clippings; weeds and leaves (dry or wet).

Plastic; rubber; oils; asbestos; composition boards; shingles; felt paper; canvas; fiberglass; vinyl; or any other 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 guidance 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.

Responsible Adult- Any responsible adult who has reached the legal age of 18.

Fire Suppression and Extinguishment- A circumstance where an illegal free burning fire or smoldering fire is in progress and does not meet the conditions of this Ordinance. The Manor Township Police, when warranted, are hereby authorized to summon the Manor Township Fire Company to suppress, control, and or completely extinguish the unauthorized fire and impose an additional fine to the property owner in the amount of \$250.00.

Fire Ban Emergency- A period where the natural vegetation (trees, Grass, Brush, etc.) are in a dry state, drought, and at high risk for the spread of fire to woodlands or property. During this time the Township Supervisors can order a fire ban where absolutely no burning shall be permitted in the township. Charcoal and propane fired cooking grills are excluded from this provision

Section 2. Outdoor Burning of Certain Materials Prohibited

No person, corporation, firm, association or partnership shall burn, cause to burn or allow to burn any putrescible animal or putrescible vegetable matter, furniture, shingles or construction materials of any kind, tin cans, glass, rubber, plastics, recyclable items, aerosol cans or any substance determined by the Commonwealth of Pennsylvania or

any agency of the United States government to be a "hazardous substance." Fires shall be used only to burn readily combustible items.

Section 3. Miscellaneous Provisions

- A. No person or corporation or business 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.
- B. Burning will be permitted from sunrise to sunset. Burning is prohibited on Sundays with the exception of recreational fires.
- C. All fires shall be attended at all times by a responsible adult (18 years old or older) until such a time that flame has subsided completely, and hot embers have cooled to a point that fire cannot ignite other burnable materials. The responsible adult shall have a readily available means of adequately extinguishing the fire located within 25 feet of the fire. Unattended burning is strictly prohibited.
- D. All fires must be thoroughly extinguished with no smoldering between sunset and sunrise.
- E. Burning shall not be permitted in Manor Township during a Fire Ban Emergency as proclaimed by the Manor Township Board of Supervisors.
- F. No burning shall take place within (25) twenty-five feet of any property line, building, structure, or vehicle (regardless of the vehicles operational condition).
- G. Burning shall be done only by the owner or occupant of the parcel of land. Under no circumstance shall nonresidents of Manor Township be permitted to burn materials of any kind within Manor Township

EXCEPTIONS

- A. Small fires shall be permitted for outdoor cooking.
- B. Farm land will be permitted to continue their daily operation.
- C. Bon fire only if approved by the Manor Township Board of Supervisors.

Section 4 Fire Ban Emergency

The Manor Township Board of Supervisors may declare a fire ban emergency in Manor Township.

Upon the declaration of a fire ban emergency, all outdoor burning or fire shall be prohibited until such ban is lifted by the Board of Supervisors.

Manor Township shall publish a notice of fire ban emergency at least once in a local newspaper of general circulation.

Section 5 Fire Company Suppression or Extinguishment

In cases where an illegal fire is free burning or smoldering and creating noxious smoke or other hazardous condition, the Manor Township Police are hereby authorized to summon the Manor Township Fire Company to suppress, extinguish, or completely put out an illegal fire, so that it no longer emits flame, light, smoke or other toxic gases. In such an event, an additional fine shall be imposed on the property owner in the amount of \$250.00 per occurrence.

Section 6 Enforcement

Any and all Township Police Officers are hereby granted authority and responsibility for enforcing the provisions of this ordinance. In the event any violations of this ordinance are found to be in existence, the Police Officer is hereby charge with the responsibility of issuing warnings or citations, as merited, for all violations of this Ordinance.

Section 7 Penalties

Any person, corporation, firm, partnership or association that violates any of the provisions of this ordinance shall, upon conviction, be sentenced to pay a fine ranging from \$500.00 up to \$1,000, plus costs of prosecution, and in default of payment, imprisonment for a term not to exceed ninety (90) days. Additional fines shall be added to offset the cost services incurred by the fire company and remitted to the same in the amount of \$250.00. Each day that a violation of any of the provisions of this ordinance continues shall constitute a separate violation.

Section 8 Repealer

All ordinances or parts of ordinances which are inconsistent with this Ordinance are repealed to the extent necessary to give effect to the provisions of this Ordinance.

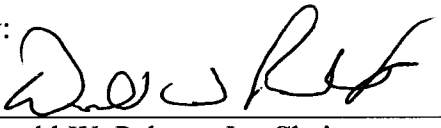
Section 9 Savings Clause

If any sentence, clause part or section of this Ordinance is found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalid sentence, clause, part or section shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared the intent of the Board of Supervisors to have enacted this Ordinance if such unconstitutional, illegal or invalid sentence, clause, part or sections have not been included therein.

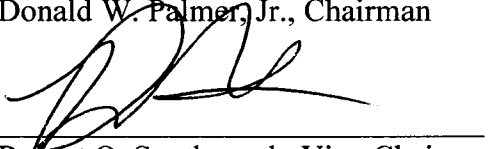
Section 10 Effective Date

This ordinance shall become effective on the 15th day of August 2018.

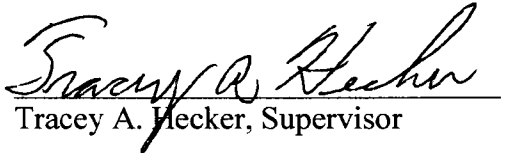
MANOR TOWNSHIP

By: 

Donald W. Palmer, Jr., Chairman

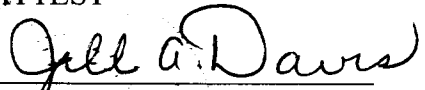


Robert Q. Southworth, Vice-Chairman



Tracey A. Hecker, Supervisor

ATTEST


Jill A. Davis, Secretary

Ordinance revised August 15, 2018