

AN ORDINANCE OF THE BOROUGH OF SANDY LAKE, MERCER COUNTY, PENNSYLVANIA PROHIBITING BURNING BY OPEN FIRE WITHIN THE BOROUGH OF SANDY LAKE, MERCER COUNTY, PENNSYLVANIA.

ARTICLE I:

A. DEFINITIONS

OPEN FIRE. Any outdoor fire or outdoor smoke producing process from which air contaminants are emitted directly into the outdoor atmosphere.

GARBAGE. The animal and vegetable waste resulting from the handling preparation, cooking and serving of food.

REFUSE. All waste material, including but not limited to garbage, rubbish, incinerator residue, street sweepings and dead animals.

RUBBISH. Solid or liquid waste materials, including but not limited to paper and paper products, rags, trees, or leaves, needles, branches, therefrom; vines, lawn and garden debris, furniture, cans, crockery, plastic, cartoons, chemicals, paint, grease, sludge, oils and other petroleum products; wood, sawdust, demolition materials, tires, and automobiles and other vehicles and parts for junk, salvage or disposal.

ARTICLE II.

B. PROHIBITIONS.

Except as permitted in section (C) (following), no person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish, rubbish generated by residential activities, rubbish generated by industrial or commercial activities, or rubbish generated by land clearing or demolition for the erection of any structure, or the construction or modification of any highway, railroad, power or communication line, or pipeline, or for the development or modification of a recreational area or park within the Borough of Sandy Lake.

ARTICLE III.

C. Burning in an open fire, provided it is not contrary to any other federal, state or local law, ordinance, rule or regulation, will be permitted as follows:

1. At a publicly sponsored celebration or event or at a public or private school sponsored event with the written permission of the Police Chief and subject to any conditions or restrictions which he shall impose for the safety of life and property.

2. Burning of land clearings and / or demolition materials consisting of wood, trees, tree trimmings, leaves, or brush, generated by land clearing or demolition for construction or modification of any highway, railroad, pipeline, or power or communication line, or for the development or modification of a recreational area or park, provided that such burning is done on site or at an appropriate designated burning area in accordance with a permit issued by the Police chief who shall have the authority to condition there permission on such restrictions as he might impose for the protection of life and property.
3. The provisions of section (3) herein shall not be deemed to prohibit any person from the open burning of charcoal or wood for cooking purposes provided such charcoal or wood is confined in a cooking utensil commonly referred to as a grill, hibachi, barbecue pit or other similar cooking utensil designed for open burning of charcoal or wood.
4. No person or firm shall leave or store within any building within the Borough of Sandy Lake any material increasing the tendency or liability of fire therein after being ordered by the Fire Chief and or the Police Chief to remove such material.
5. The Police Chief or his designated officers under his command as he shall designate is hereby vested with the authority to enforce the provisions of this Ordinance. The Fire Department is hereby authorized to extinguish any open burning being conducted in violation of any of the provisions of this Ordinance.
6. The burning of branches of trees and bushes and other non-toxic materials will be allowed on TUESDAY and THURSDAY between the hours of 6:00am and 9:00 pm. No plastic, rubber, or other petroleum products shall be allowed at any time.

#### ARTICLE IV.

This ordinance shall replace ordinance 191 section \*101 Open Burning Restricted, of the Borough of Sandy Lake. All other provisions of said code not inconsistent herewith shall remain in full force and effect.

ARTICLE V.

A. EXEMPTIONS

1. The council for the Borough of Sandy Lake, Mercer County, Pa. may at a regular meeting of council adopt special burning hours for leaf, and lawn care maintenance, and further advertise said hours and days of such burning.

ARTICLE VI.

A. PENALTY

1. Any person or firm violating any of the provisions of this ordinance shall be given a written warning for the first offense. Any other offense shall constitute a summary violation and upon conviction thereof shall pay a fine of not less than \$25.00 nor more than \$300.00, plus cost of prosecution, or to be imprisoned in the Mercer County jail for a term not to exceed Thirty (30) days.

ORDAINED AND ENACTED THIS 3rd DAY OF MAY 1990.

THE BOROUGH OF SANDY LAKE, MERCER COUNTY, PA.

By: Joseph E. Dayton  
Council President

Approved: Merrill P. Mowry  
Mayor

Attest: Beverly Voorhees  
Secretary