

# EAST COCALICO TOWNSHIP BURNING ORDINANCE

## ORDINANCE NO. 2005-01

### NOTICE

#### **AN ORDINANCE PROMOTING THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE BY ESTABLISHING REGULATIONS FOR THE SAFEGUARDING OF LIFE AND PROPERTY FROM THE USE OF OPEN FIRES**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of the Township of East Cocalico, County of Lancaster, and Commonwealth of Pennsylvania

And it is hereby enacted and ordained as follows:

**SECTION 1** – Short Title – This Ordinance shall be known as the “East Cocalico Township Burning Ordinance.”

#### **SECTION 2 - Definitions**

- A. Township – The Township of East Cocalico Township, County of Lancaster, and Commonwealth of Pennsylvania
- B. Open Fire –The burning of materials wherein products of combustion are emitted directly into the air without passing through a stack or chimney from an enclosed chamber (as defined by the International Fire Code 2000)
- C. Person – Any individual, partnership, association, cooperation, department, bureau, agency, or other entity.

**SECTION 3** – Regulations. No person shall ignite, feed, cause, allow, permit, or maintain on any property any open fire outside of any building for any purpose other than that specifically allowed herein.

**SECTION 4 Exceptions** – The activities prohibited in this Ordinance are subject to the following exceptions:

- A. Open fires may be set in the performance of any official duty of any public officer if the fire is necessary for:
  - 1. The prevention of a fire Hazard that cannot be abated by other means.
  - 2. The protection of public health.
- B. Open Fires or controlled burning shall be permitted for firefighting training by volunteer fire companies. Controlled burning, however, will require a permit issued by the Fire Marshall.

- C. Open fires do not include outside barbeques or any fire maintained in a commercially constructed grill or masonry constructed grill for the purposes of cooking and preparing food.
- D. Bonfires – an outdoor fire utilized for ceremonial purpose (for example, school homecoming event) A permit is required to be obtained from the Fire Marshall
- E. Recreational Fires – an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.
- F. Open fires shall be permitted on any land located in the Agricultural (A) Zoning District provided the fire is 100 feet (100') from any structure or combustible material.

**SECTION 5 – Enforcement** – The Fire Marshall shall have the power to enforce the provisions of this Ordinance. In the event that the Fire Marshall Office is vacant or in the event that the Fire Marshall is unavailable, the Zoning Officer shall have the power to enforce the provisions of this Ordinance.

**SECTION 6 – PENALTIES** Any person, firm, or corporation who violates any provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment as provided by law. Each day the violation exists shall constitute a separate offense.

**SECTION 7 – Effective Date** – This Ordinance shall become effective five (5) days after the date of its adoption.

ENACTED AND ORDAINED this 19<sup>th</sup> day of January 2005

**EAST COCALICO TOWNSHIP**

**NOTICE AND/OR PERMIT**

ORDINANCE NO. 2005-01 ADOPTED BY EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS  
ON JANUARY 19, 2005 REGULATIONS FOR THE USE OF OPEN FIRES

\_\_\_\_\_ This is your Burning Permit – good for five (5) days from issue date

\_\_\_\_\_ This is an Official Warning – **PLEASE READ AND SIGN**

PROPERTY OWNER OR RESIDENT:

\_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

DATE OF CONTROLLED BURN: \_\_\_\_\_ BEGIN TIME: \_\_\_\_\_

PLEASE READ THE ABOVE ORDINANCE AND SIGN HERE:

\_\_\_\_\_

FIRE MARSHALL: \_\_\_\_\_ DATE: \_\_\_\_\_