

GREENE TOWNSHIP  
ORDINANCE NO. 49

AN ORDINANCE REGULATING AND RESTRICTING  
OUTDOOR FIRES IN GREENE TOWNSHIP

BE IT ENACTED and ORDAINED by Greene Township, Pike County, Pennsylvania,  
and it is hereby enacted and ordained by the authority of same as follows:

ARTICLE I:

SECTION 101. PURPOSE: The purpose of this Ordinance is to prevent needless public damage to life and property because of public and private nuisances caused by outdoor fires deliberately or carelessly set and maintained; and to avoid unnecessary calls and false alarms to the fire department.

SECTION 102. POLICY. It is hereby declared to be against the public policy of Greene Township to permit uncontrolled and unrestricted outdoor burning, whether the substance be animal, vegetable or otherwise; and to avoid unnecessary damage to life and property and to avoid unnecessary calls and false alarms in the Township.

ARTICLE II:

SECTION 201. DEFINITIONS: For the purposes of this Ordinance, the following words and terms shall have the meanings ascribed to them herein:

- (1) FIRE: Any fire set or maintained outside of a building.
- (2) CONTAINED FIRE: Any fire contained in an incinerator, fireplace or sound grill or other contained enclosure designed for outdoor cooking, or a fireproof container.

(3) UNCONTAINED FIRE: Any fire not included in the definition of a "Contained Fire."

(4) PERSON: Any individual, partnership, organization, association, agency, estate, or corporation and any other legal or commercial entity.

ARTICLE III:

SECTION 301. GENERAL LIMITATIONS ON BURNING:

SUB-SECTION 301.1: It shall be unlawful to burn, ignite, incinerate, maintain or permit to burn any materials whatsoever, of whatever nature, without complying with this Ordinance:

It shall be unlawful to allow any fire within an unsafe distance from any building or property line, including cooking.

SUB-SECTION 301.2: No fire shall be set, started, fed, permitted to burn or maintained on any public road or public property, except where a designated area has been set aside or reserved for this purpose and an appropriate container has been provided to contain such fire. In no event shall such fire be within forty (40) feet of any vegetation, whether live or dead; nor shall any such fire or the container therefor be located on any hard-surfaced roadway belonging to the public.

SUB-SECTION 302.3: No fire shall be set, started, fed, permitted to burn or maintained where such fire may endanger any building or property, except where such building or property is used by the fire department for training purposes.

ARTICLE IV: CONTAINED FIRES:

SECTION 401: RESTRICTIONS: Contained fires shall be used only to burn readily combustible materials. In addition, nothing herein shall be construed to permit or encourage the burning of any substance determined by the Commonwealth of Pennsylvania or the United States Environmental Protection Agency to be a hazardous substance; nor shall any fire be permitted to burn by any person if such burning is in violation of the Air Pollution Control Act or other legislation of the Commonwealth of Pennsylvania or the United States of America or any other competent body.

(a) Nothing herein shall be deemed to prohibit indoor cooking activities providing that reasonable safeguards are maintained.

(b) Nothing herein shall be construed to prevent fire-fighting training by Township-designated fire-fighting organizations.

SECTION 402: HOURS: Contained fires shall not be permitted to burn or smolder between the hours of 1 a.m. and 5 a.m.

SECTION 403: UNATTENDED FIRES: No fire shall be allowed to burn unattended without an adult being present at all times and without readily-available fire-extinguishing apparatus.

ARTICLE V: UNCONTAINED FIRES:

SECTION 501: RESTRICTIONS: No 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 the Commonwealth of Pennsylvania or other competent governmental body.

SECTION 502: HOURS: No uncontained fires shall be allowed to burn or smolder without notifying the local Township fire number and in no event shall any uncontained fire be allowed to burn or smolder between the hours of 11 p.m. and 5 a.m.

SECTION 503: SPECIAL CIRCUMSTANCES: In the event that it is necessary to have an uncontained fire other than at the times permitted under this Ordinance, special permission must be obtained in advance from the Township and the Township-designated fire department.

SECTION 504: UNATTENDED FIRES: No fire shall be allowed to burn unattended without an adult being present at all times and without readily-available fire-extinguishing apparatus.

ARTICLE VI: UNSAFE FIRES:

SECTION 601. EXTINGUISHING UNSAFE FIRES: Any fire permitted to burn in an unsafe manner, under adverse weather conditions or unsupervised, or otherwise in an unsafe manner, may be extinguished by an official of the Township-designated fire company if not extinguished immediately upon request of such official.

ARTICLE VII: PENALTIES:

SECTION 701: Any person, whether as principal or agent, who violates this Ordinance or assists or abets its violation, shall upon conviction thereof, before any Magistrate, be sentenced to pay a fine of not less than Fifty and none/100 (\$50.00) Dollars, nor more than Three Hundred and none/100 (\$300.00) Dollars, together with the costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Pike County Prison for a period not exceeding thirty (30) days. Each violation shall constitute a separate offense, for which a summary conviction may be sought.

SECTION 702: EQUITABLE AND OTHER REMEDIES: No penalty herein shall prevent the Township from enforcing this Ordinance by equitable, injunctive and other remedies.

SECTION 703: ENFORCEMENT OFFICER: The applicable fire chiefs or fire warden for District 39 shall be designated Enforcement Officers under this Ordinance.

ARTICLE 8: SEVERABILITY: The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

ARTICLE 9: REPEALER: All ordinances and parts of ordinances inconsistent herewith shall be and the same are hereby repealed.

This Ordinance shall become effective five (5) days after its adoption.

DULY ENACTED AND ORDAINED THIS 1<sup>st</sup> DAY OF NOV, 1989, BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF GREENE, PIKE COUNTY, PENNSYLVANIA.



Mary Ann Hubbard  
Chairman  
Edward C. Kasky  
Vice-Chairman  
Judy L. Overt  
Supervisor

ATTEST:  
Barbara M. Conway  
Secretary

GREENE TOWNSHIP  
ORDINANCE NO. 52  
AN ORDINANCE OF THE TOWNSHIP OF GREENE,  
PIKE COUNTY, PENNSYLVANIA  
AMENDING ORDINANCE NO. 49, AN ORDINANCE REGULATING AND RESTRICTING  
OUTDOOR FIRES IN GREENE TOWNSHIP

SECTION 1. AMENDMENT: Article VII, Section 703, is amended to read as follows: SECTION 703: ENFORCEMENT OFFICER: The applicable fire chiefs or fire warden for District 19 shall be designated Enforcement Officer under this Ordinance.

SECTION 2. ENACTMENT. This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 2<sup>nd</sup> day of MAY  
19 90.

Mary A. Hubbard  
Chairman, Board of  
Supervisors

Judy S. Oberst  
Vice Chairman, Board of  
Supervisors

Edward G. Goshay  
Supervisor

Attest:

Michael D. Milliken  
Secretary

(SEAL)