

## B. Fire and Burning Regulations

§101. Intent. This Part 1(B) shall be known as the Peters Township Fire and Burning Regulations and is intended to regulate the outdoor burning of trash, leaves, paper and other organic materials. However, these regulations shall not apply to fires used for or in connection with camping, cooking, picnicking or recreational activities. (Ordinance 411, April 24, 1989, §1)

### §102. Definition.

Leaves – Leaves that have fallen from trees that are normally gathered by raking, vacuum/blowers or other methods; leaves shall not include branches, brush twigs, leaves still on branches. (Ordinance 568, April 19, 1999)

Leaf Waste – leaves, garden residues, shrubbery and tree trimmings and similar materials, but not including grass clippings. (Ordinance 606, October 22, 2001)

Tree Trimmings – Compostable materials that are removed from trees in normal care and maintenance. (Ordinance 606, October 22, 2001)

§103. Permitted Times. Burning shall be permitted only Wednesday through Saturday during the hours of 9:00 a.m. to 3:00 p.m., prevailing time. Burning incidental to land development shall be permitted Monday through Friday during the hours of 7:00 a.m. to 4:30 p.m., prevailing time. (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999; Ordinance 583, May 15, 2000; Ordinance 601, May 14, 2001)

§104. Prohibited Burning. Burning as part of or incidental to any commercial or industrial use is prohibited. On sites, which are utilized for both commercial and residential uses, burning shall not be permitted regardless of the source of the material burned. (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999;).

§105. Distance from Structures. No fires shall be maintained within fifty (50) feet from any structure. (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999)

§106. Prohibited Materials. No fire shall contain any garbage, leaves, leaf waste, grass clippings, any material made of or coated with rubber, plastic, or petroleum based materials and shall not contain any flammable or combustible liquids. (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999; by Ordinance 568, April 19, 1999; Ordinance 583, May 15, 2000; by Ordinance 598, February 12, 2001; Ordinance 606, October 22, 2001).

§107. Attendance of Fire. Fires must be constantly attended by a competent person until such fire is extinguished. (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999)

§108. Burning Incidental to the Development of Land. Burning of trees and brush incidental to the development of land or the construction of a home is permitted. A permit is required for burning of this type and will be issued by the Peters Township Fire Marshal.

A. All burning under this section shall be done with the use of an air curtain destructor.

- B. The air curtain destructor burn pit shall be located on a site giving maximum distance from occupied premises and shall be located no closer than 300 feet from an occupied dwelling. Said pit location shall be approved in the field by the Fire Marshal. The Fire Marshal may require the pit to be located further from occupied homes dependent on the size of the pit.
- C. The pit shall be extinguished no later than 4:30 p.m. each burning day, so that excess smoke does not occur when the blower is shut down or when the fire/blower is restarted the next day.
- D. Fires shall be started only with clean fuels, such as kerosene, grubbing and clearing wastes to be burned in the pit shall be limited to brush and trees (no building material). Dirt laden stumps and roots must be cleared of dirt prior to discharge into the pit. No other materials shall be burning at any time.
- E. Materials shall be added to the pit in regular increments so that the pit does not become overcrowded. The burning level must remain below the air curtain at all times.
- F. Should the Township receive and verify citizen complaint of excessive smoke, the permit may be revoked or penalties assessed.
- G. The air curtain destructor/burn pit must be tended by a responsible person at all times during its operation.
- H. Should adverse weather conditions result in excessive smoke build-up or impact adjacent occupied properties, the operator shall immediately suspend operations for the duration of the conditions.
- I. Should mechanical failure interrupt the air curtain in any way, the charging of pit shall be immediately suspended until the air curtain is operational.
- J. No more than one air curtain destructor shall be operated at any time on a single site. (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999; (Ordinance 601, May 14, 2001)

§109. Permit Fees.

1. A burning permit must be obtained from the Peters Township Fire Marshal for all burning undertaken pursuant to §107. A separate burning permit shall be required for each burning site and shall be valid for a fourteen (14) day period. If the site to be cleaned is greater than ten (10) acres, the Fire Marshal may issue a burning permit for a period greater than fourteen (14) days. Upon submittal of a burning permit application, the Fire Marshal shall have seven (7) days to award or deny the permit. Prior to the issuance of the permit, the applicant and the Fire Marshal together shall inspect the proposed burning site. Based upon a reasonable concern for public safety, it shall be the sole discretion of the Fire Marshal whether or not to issue a permit. The Fire Marshal shall have the authority to place reasonable restrictions on the burning permit. The permit shall be posted so as to be visible from the roadway or in a manner prescribed by the Fire Marshal.

2. The following schedule of fees shall be charged for the issuance of a burning permit based upon the area of land under development:

Area

Fee

Less than one (1) acre	\$50.00
Greater than one (1) acre and less than ten (10) acres	\$50.00, plus \$25.00 an acre for each acre greater than one (1)
For ten (10) acres or greater	\$300.00, plus \$20.00 an acre for each acre greater than ten (10), not to exceed \$750.00

For purposes of computing the permit fee, the applicable site size shall be the area stipulated on the approved site plan, subdivision or building permit.  
 (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999)

§110. Fines and Penalties.

1. Any person, partnership, firm or corporation covered under §108 of this Part, who is for the first time convicted of violating any provision of this Part, shall be guilty of a summary offense and sentenced to a fine of not less than two hundred fifty dollars (\$250.00) and not more than one thousand dollars (\$1,000.00) and the cost of prosecution; and in default of payment of such fines and costs, to undergo imprisonment in the County Jail for not more than fifteen (15) days. For each subsequent conviction, the minimum fine shall be not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00) and the cost of prosecution; and in default of payment of such fines and costs, to undergo imprisonment in the County Jail for not more than five (5) days.

2. Any person, partnership, firm or corporation, who is convicted of violating §103 to §107 of this Part shall be guilty of a summary offense and sentenced to pay a fine of not less than fifty dollars (\$50.00) and not more than one thousand dollars (\$1,000.00) and costs of prosecution; and in default of payment of such fines and costs, to undergo imprisonment in the County Jail for not more than five (5) days.  
 (Ordinance 411, April 24, 1989, §1; by Ordinance 568, April 19, 1999)

§111. Severability. The provisions of this chapter shall be severable and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect any of the remaining provisions of this chapter. It is hereby declared as legislative intent that this part two would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.  
 (Ordinance 601, May 14, 2001)

Part 2

Fire Insurance Certification