

**BOROUGH OF DUBOISTOWN
LYCOMING COUNTY, PENNSYLVANIA**

**BURNING ORDINANCE
ORDINANCE NO. 2022-01**

**AN ORDINANCE OF THE BOROUGH OF DUBOISTOWN, LYCOMING COUNTY,
PENNSYLVANIA, REGULATING FIRES AND BURNING OF RUBBISH, REFUSE AND OTHER
MATERIAL IN THE BOROUGH OF DUBOISTOWN, PROVIDING RESTRICTIONS,
REGULATIONS AND PENALTIES FOR THE VIOLATION THEREOF.**

**BE IT ORDIANED AND ENACTED BY the Council of the Borough of DuBoistown, and it is
hereby ordained and enacted by virtue of authority of the same as follows:**

Section 1. Purpose: This Ordinance is enacted in the interest of the health, safety, and welfare of the residents of the Borough of Duboistown for the prevention of fires and to eliminate nuisances caused by smoke, cinders, and ashes.

Section 2. Prohibited Burning: No person shall make, maintain, cause, or permit the burning of garbage, rubbish, refuse, solid waste, construction waste or any material that will create nauseous or noxious fumes, smoke, toxic chemicals, or excessive fly ash. No burning is permitted when the County or State issue a burn ban (RED FLAG).

Section 3. Burning of Paper and Paper Products: The burning of paper and paper products shall be permitted under the following conditions:

- A. The fire shall be contained in a noncombustible, properly ventilated container covered with a wire screen, mesh, or other suitable noncombustible cover, with no larger than a one-inch-hole square screen mesh or opening, to prevent pieces or particles from escaping, floating and/or being blown away from the originating property.
- B. No such outside fire shall be kindled or maintained within ten (10) feet of any building or the opening of any building, or within (10) feet of any property line or street line, vegetation, tree line, and all fires must be attended until fire and smoke are extinguished completely.

Section 4. Restrictions:

- A. No fire shall be kindled or maintained between the hours of five (5:00) o'clock P.M. and seven (7:00) o'clock A.M. Saturday 7:00 am – Noon Only.
- B. Burning is prohibited on Sundays; no burning is permitted on national holidays.
- C. No one under 12 years of age shall burn in any outside fireplace or paper burner.

Section 5. Recreational/Outdoor Cooking: Charcoal, Propane, Wood, or similar fires for the purpose of cooking/preparing food or providing heat shall be permitted so long as the fire is contained in a fireplace or cooking/grilling unit manufactured or constructed for the purpose of cooking/preparing food or heat. No burning of garbage, rubbish or trash is permitted. Must be on a non-combustible surface unless it is constructed of metal. Maximum fire pit size is 3 feet by 3 feet.

Section 6. Extinguishment Authority. Bonfires and other fires for public celebrations, Fire Department drills, land clearance and other purposes not specifically permitted in this chapter are prohibited without prior issuance of a permit or letter authorization from the Borough of DuBoistown.

Section 7. Violations and Penalties.

- A. Upon conviction of any violation of this chapter, the person or persons, firm or corporation shall be guilty of a summary offense under the Pennsylvania Rules of Criminal Procedure and shall be sentenced to pay a fine of not less than \$50 nor more than \$300, plus court costs, and, in default of payment of said fines and costs, a term of imprisonment not to exceed 90 days. Each day that a violation of this chapter continues or each section of this chapter which shall be found to have been violated shall constitute a separate offense.
- B. Any person found to violate the provisions of this chapter, where the DuBoistown Fire Department is required to respond, shall be responsible to pay the sum of \$250 to the DuBoistown Fire Department in addition to any fines and court costs.
- C. The perpetrator is responsible for the cost of any damage caused by his or her violation or negligence.

Section 8. Repealer: This ordinance repeals and replaces Ordinance 2009-03, found Borough Ordinances Chapter 83.

Section 9. Effective date: This Ordinance takes effect in 31 days.

DULY ENACTED AND ORDAINED THIS 3rd DAY of March, 2022
BY THE BOROUGH COUNCIL OF DUBOISTOWN, LYCOMING COUNTY, PENNSYLVANIA,
IN LAWFUL SESSION DULY ADDEMBLED.

ATTEST:

BOROUGH OF DUBOISTOWN

BY: Ann Marie Baker
Ann Marie Baker, Secretary

BY: Michael F Rodgers
Michael F Rodgers, President Council

DULY approved this 3rd day of March, 2022

By: R.A. Knecht
Richard Knecht, Mayor