

# OUTDOOR BURNING

*An Ordinance rescinding and replacing Ordinance No. 1254 and Chapter 90 of the Code of Ordinances of the Borough of Canonsburg.*

## **APPLICABILITY**

This ordinance applies to all outdoor burning within the Borough of Canonsburg except:

1. Grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances.
2. Burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.
3. The use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

## **OUTDOOR BURNING OF REFUSE AND LEAVES**

All outdoor burning of refuse and leaves is strictly prohibited.

## **OPEN BURNING**

Open burning of trees, logs, brush, stumps, yard and grass clippings, is permitted from November 1<sup>st</sup> through April 30<sup>th</sup> on Wednesdays and Saturdays between the hours of 10:00 am to 5:00 pm prevailing time in accordance with all of the following provisions:

1. Open burning shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways or surrounding properties. Open burning shall be conducted in conformance with all local and state fire protection regulations.
2. Open burning fires shall not exceed five (5) feet in diameter or five (5) feet in height.
3. Open burning fires shall be completely surrounded by a noncombustible barrier.
4. Open burning shall be conducted only on property on which the materials were generated.
5. Open burning shall be conducted at a location at least fifteen (15) feet from:
  - a. The nearest structure on the property
  - b. Any combustible material, combustible wall or partition, exterior window opening, exit access or exitand twenty-five (25) feet from any structure which is not on the same property.
6. Open burning is prohibited upon any public property, right of way, street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or body of water.
7. Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years old age until the fire is extinguishing equipment as may be necessary for the total control of the fire.

## **RECREATIONAL FIRES**

Recreational fires may be conducted in accordance with all of the following provisions.

1. Recreational fires shall burn only dried, clean wood with a maximum diameter of three (3) feet and maximum height of two (2) feet
2. Recreational fires shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways or surrounding properties. Recreational fires shall be conducted in conformance with all local and state fire protections regulations.
3. Recreational burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years old age until the fire is extinguished and is cold. The person shall have readily available for use such equipment as may be necessary for the total control of the fire.
4. Recreational burning shall be conducted at a location at least fifteen (15) feet from:
  - a. The nearest structure on the property
  - b. Any combustible material, combustible wall or partition, exterior window opening, exit access or exitand twenty-five (25) feet from any structure which is not on the same property.
5. All recreational fires shall be extinguished by 10:00 pm.
6. Recreational fires shall not cause a nuisance to neighbors.

## **RECREATIONAL BONFIRES**

Recreational bonfires may be conducted after review, approval and permit issuance by the Fire Chief, Police Department or Code Enforcement Officer in accordance with all of the following provisions:

1. Recreational fires shall burn only dried, clean wood with a maximum diameter of three (3) feet and maximum height of two (2) feet
2. Recreational fires shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways or surrounding properties. Recreational fires shall be conducted in conformance with all local and state fire protections regulations.
3. Recreational burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years old age until the fire is extinguished and is cold. The person shall have readily available for use such equipment as may be necessary for the total control of the fire.
4. Recreational burning shall be conducted at a location at least fifty (50) feet from:
  - a. The nearest structure on the property
  - b. Any combustible material, combustible wall or partition, exterior window opening, exit access or exit

and one-hundred (100) feet from any structure which is not on the same property.

5. All recreational fires shall be extinguished by 10:00 pm.
6. Recreational fires shall not cause a nuisance to neighbors.

### **PERMITS**

Notwithstanding any restrictions or requirements as stated in this Ordinance, the following outdoor burning is permitted after review, approval and permit issuance by the Fire Chief, Police Department or Code Enforcement Officer:

1. Fires set to prevent or abate a fire hazard and under the supervision or set by a public officer as accepted or approved by the PA DEP.
2. Fires set for the purpose of instructing personnel in fire suppression or prevention training.
3. Fires set for environmental purposes.
4. Fires requested for construction sites after review and approval of the Fire Chief or Code Enforcement Officer

### **LIABILITY**

A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

### **RIGHT OF ENTRY AND INSPECTION**

The Fire Chief or authorized officer, agent, employee or representative of Canonsburg Borough who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of the ordinance.

### **ENFORCEMENT AND PENALTIES**

Notwithstanding any language which permits outdoor burning, open burning or recreational fires, any fire that will be offensive or objectionable because of smoke or odor emissions or size when atmosphere conditions, wind or local circumstances make such fires hazardous, may be ordered by police, fire or code enforcement officers to be extinguished.

If at anytime, any fire is found to be a nuisance to persons or neighboring properties, the fire shall be extinguished by order of police, fire department representative or code enforcement officer. The action of any person, firm, association, partnership, corporation, or governmental entity who fails to extinguish said nuisance fire shall be considered disorderly conduct and subject to a fine of not more than \$300.00 per incident.

*ORDAINED AND ENACTED THIS 13<sup>th</sup> day of August, 2007.*