

## Chapter 64

### BURNING, OUTDOOR

- § 64-1. Definitions.
- § 64-2. Prohibition against outdoor burning.
- § 64-3. Exceptions.
- § 64-4. Exemption for recreational fires.
- § 64-5. Authority.
- § 64-6. Enforcement.
- § 64-7. Penalties.

**[HISTORY: Adopted by the Borough Council of the Borough of South Greensburg at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Repealed and replaced 8-20-2007 by Ord. No. 2007-05, effective 8-30-2007]**

#### GENERAL REFERENCES

Fire prevention — See Ch. 79.

Fire suppression systems — See Ch. 82.

Garbage, rubbish and refuse — See Ch. 90.

#### § 64-1. Definitions.

- A. “Borough”: The Borough of South Greensburg, Westmoreland County, Pennsylvania.
- B. “Open Burning”: The burning of any material or combination of materials where the products of combustion are emitted directly into the ambient air without first passing through a stack or chimney from an enclosed chamber inside of any building. For purposes of this definition, a chamber is considered “enclosed” when, during the time of combustion is taking place, the only apertures, ducts, stacks, flues or chimneys open to the outside air are those necessary to admit combustion air or those necessary to permit the escape of exhaust gases from the fire to the outside of any building, and they into the ambient air.
- C. “Recreational Fire”: An outdoor charcoal grill fire utilized to cook food for human consumption.
- D. “Person”: Any individual, partnership, association, corporation, department, bureau, agency or other similar legal entity.
- E. “Outdoor Barbecue Structure”: Any commercially constructed grill or commercially or non-commercially constructed masonry grill, or charcoal patio pits, used for the purpose of heating, cooking and preparing for the purpose of consumption, provided they are screened and enclosed, and placed on a secure, concrete or patio stone base.

#### § 64-2. Prohibition against Outdoor Burning.

- A. Within the municipal limits of the Borough, no person shall cause, allow, permit, kindle, ignite or maintain any open burning outside of any building for any purpose, including by way of example and not by way of limitation, any junk fire, refuse fire, open fire, salvage operation fire, or any other open fire.

### **§ 64-3. Exceptions.**

- A. The prohibition against open burning as set forth in Section III (§ 64-6 above shall not apply to:
  - (1) Any fire ignited to prevent or abate a fire hazard;
  - (2) Any fire ignited for the purpose of instruction firefighting personnel or to demolish a fire hazard (including a structure or structures);
  - (3) Any fire ignited for the prevention and control of disease or pests;
  - (4) Any fire ignited in conjunction with the production of agricultural commodities in their un-manufactured state on the premises of a farm operation; and
  - (5) Any fire ignited solely for ceremonial purposes, such as a bonfire.
- B. The exceptions listed in Section IV.A. (§ 64-7(A)), above, shall be permitted, if any, only if any open burning done pursuant to these exceptions are:
  - (1) Authorized by the South Greensburg Borough Council;
  - (2) Done under the supervision of a Member of the South Greensburg Fire Department; and
  - (3) To the extent required, authorized by a permit duly issued by the Commonwealth of Pennsylvania Department of Environmental Protection (“DEP”).

### **§ 64-4. Exemption for Recreational Fires.**

- A. It shall be lawful at any time for any person to start kindle and maintain a recreational fire for the purpose of outdoor barbecues, provided that such fire is confined to an outdoor barbecue structure as defined herein, and is used solely for the heating, cooking and preparation of food products for the purpose of consumption.

### **§ 64-5. Authority to extinguish outdoor fires.**

- A. Authority is hereby granted to the South Greensburg Fire Department to extinguish any fire of any nature within the Borough when the Fire Chief, or, in his absence, the highest acting officer of the Fire Department deems that conditions warrant such action.

### **§ 64-6. Enforcement**

This Chapter shall be enforced by the police and/or Fire Chief.

### **§ 64-7. Penalties**

- A. Any person who violates any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than One Thousand Dollars (\$1,000.00) plus costs of prosecution, and, in default of payment of the fine and costs, by imprisonment of not more than thirty (30) days.