

BOROUGH OF STRASBURG
Lancaster County, Pennsylvania

ORDINANCE NO. 2017-2

AN ORDINANCE AMENDING CHAPTER 7, PART 1, OF THE CODE OF ORDINANCES OF THE BOROUGH OF STRASBURG TO REVISE REGULATIONS CONCERNING OUTDOOR BURNING.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Strasburg, Lancaster County, Pennsylvania, as follows:

Section 1. Chapter 7, Part 1, of the Code of Ordinances of the Borough of Strasburg is hereby amended to read as follows:

§101. Short Title.

This Part 1 shall be known and may be cited as the Strasburg Borough Anti-Burning Ordinance.

§102. Outdoor Burning Prohibited.

Outdoor burning of all materials, including all types of waste, trash, and rubbish, is prohibited except as listed in Section 103.

§103. Cooking and Recreational Burning Permitted Without a Permit.

The following types of outdoor burning may be conducted on private property without first obtaining a Special Events Permit subject to the restrictions in Section 105:

- A. Cooking of food contained in a cooking appliance such as a grill, an outdoor masonry fireplace, a food smoker, or an open propane burner using the manufacturer's recommended fuel. Solid fuel cooking appliances may only burn clean, dry, natural wood or charcoal.
- B. Recreational burning of only clean, dry, natural wood or charcoal or commercial firelogs, propane, or natural gas contained in a burning appliance such as a metal fire pit, chiminea, or an outdoor masonry fireplace. Recreational burning is restricted to the hours between 7:00 a.m. and 12:00 midnight. Recreational burning appliances must be at least 10 feet from a building or structure. Metal fire pits are restricted to a maximum diameter of 3 feet.

A metal drum, commonly known as a burning barrel, is not an acceptable container for a recreational fire.

§104. Outdoor Burning Requiring a Permit.

If previously approved by a Strasburg Borough Special Events permit, the following types of outdoor burning are allowed, subject to additional conditions and restrictions imposed by the permit:

- A. Open fires, not in a container, such as campfires, ceremonial fires, or bonfires burning clean, dry, natural wood.
- B. Open fires or controlled burning for firefighter training conducted by a volunteer fire company.

§105. Restrictions.

All outdoor burning is subject to the following restrictions:

- A. All fires and cooking or burning appliances must be continually attended by a responsible person at least 18 years old until the fire is completely extinguished. If the person in attendance is less than 18 years old, they must be supervised by a responsible person at least 18 years old.
- B. An adequate means of extinguishing the fire must be immediately available by the fire or appliance.
- C. Fires burning wood or charcoal or commercial firelogs must be completely extinguished with water. Fires must not be allowed to smolder or burn out. Fires may not cause a public nuisance as determined by a police officer.
- D. All outdoor burning including cooking and recreational fires must comply with any burning bans issued by state, county, or local officials.

§106. Extinguishing Unsafe or Offensive Fires

If any person responsible for an outdoor fire is notified by a police officer to extinguish the outdoor fire, the person responsible for the outdoor fire must immediately extinguish the outdoor fire or will be in violation of this Part. If the outdoor fire appears to be unsupervised or the person responsible for it refuses to extinguish it after such notice, the police officer or the volunteer fire company may take all appropriate action to extinguish the outdoor fire.

§107. Exceptions.

Outdoor burning done for health or safety reasons as part of the official duties of any public officer, official, or volunteer fire company is not subject to the requirements of this Part.

§108. Penalties.

Any person, firm or corporation violating any provision of this Part or failing to comply immediately with the steps recommended by a police officer or fire chief of any fire company providing service within Strasburg Borough shall be guilty of a summary offense, and upon conviction thereof, shall be sentenced to pay a fine of not more than six hundred dollars (\$600.00) plus costs and, in default of the payment of such fine and costs, to a term of imprisonment not to exceed thirty (30) days. A separate offense shall arise for each day or portion of a day in which a violation of this Part 1 is found to exist or for each section of this Part 1 which is found to have been violated. Any person found guilty of violating this Part 1 may be assessed court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings.

§109. Additional Remedies.

No Penalty herein shall prevent the Borough from enforcing this Part by equitable, injunctive, and other remedies.

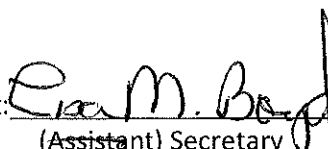
Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby expressly repealed.

Section 3. All other sections, parts, and provisions of the Code of Ordinances of the Borough of Strasburg shall remain in full force and effect as previously enacted and amended.

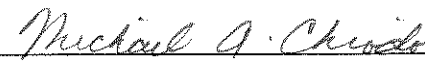
Section 4. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 5. This Ordinance shall take effect and be in force on October 1, 2017, subject to the provisions of Section 3301.3(b) of the Borough Code.

DULY ORDAINED AND ENACTED this 9th day of August, 2017, by Borough Council of the Borough of Strasburg, Lancaster County, Pennsylvania, in lawful session duly assembled.

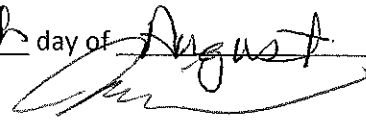
Attest: 
(Assistant) Secretary

BOROUGH OF STRASBURG
Lancaster County, Pennsylvania

By: 
(Vice) President
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this 9th day of August, 2017.



Mayor