

ORDINANCE NO. 4-2005

AN ORDINANCE AMENDING THE MANOR TOWNSHIP CODE OF ORDINANCES, CHAPTER 7, FIRE PREVENTION AND FIRE PROTECTION, PART 1, OUTDOOR FIRES, BY REVISING REGULATIONS FOR THE SAFEGUARDING OF LIFE AND PROPERTY FROM THE USE OF OPEN FIRES.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Manor, County of Lancaster, and Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION 1. Short Title. This Ordinance shall be known as the “Manor Township Burning Ordinance.”

SECTION 2. Definitions.

A. Township. The Township of Manor, County of Lancaster, and Commonwealth of Pennsylvania.

B. Open Fire. A fire outside of any building in which any material is burned in the open or in a receptacle other than a furnace or incinerator.

C. Hazardous Waste. Any garbage, refuse, sludge from an industrial or other wastewater treatment plant, sludge from a water supply treatment plant, or air pollution control facility, and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agricultural operations and from community activities, or any combination from the above which because of its quantity, concentration, or physical, chemical or infectious characteristics may:

1. Cause or significantly contribute to an increase in mortality or in an increase in morbidity in either an individual or the total population, or
2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed as defined by Section 103 of the Solid Waste Management Act, 35 P.S. Section 6018.101 et seq.

D. Municipal Waste. Any garbage, refuse, industrial lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation of residential, municipal, commercial, or industrial establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial, or institutional water supply, treatment plant, wastewater treatment plant, or air pollution control facility as set forth in Section 103 of the Solid Waste Management Act, 35 P.S. Section 6018.101 et seq.

D. Person. Any individual, partnership, association, cooperation, department, bureau, agency, or other legal entity.

SECTION 3. Regulations. No person shall ignite, feed, cause, allow, permit, or maintain on any property any open fire outside of any building for any purpose other than that specifically allowed herein.

SECTION 4. Exceptions. The activities prohibited in this Ordinance are subject to the following exceptions:

A. Open fires may be set in the performance of any official duty of any public officer if the fire is necessary for:

1. The prevention of a fire hazard which cannot be abated by other means.
 2. The protection of public health.
- B. Open fires shall be permitted for firefighting training by volunteer fire companies.
- C. Open fires do not include outside barbeques or any fire maintained in a commercially-constructed grill or masonry-constructed grill for the purposes of cooking and preparing food.
- D. Open fires shall be permitted on private property in the (A) Agricultural Zone; (R) Rural Zone; (C) Conservation Zone; and (E) Excavation Zone of Manor Township Zoning Ordinance between official sunrise and sunset as determined by the U.S. Naval Observatory on each day of the week with the exception of Sunday, subject to the following restrictions:
1. In those areas where land is zoned A, R, C, and E, no person or persons, either directly or indirectly, shall kindle or maintain a fire with the exception of the type of fire as hereinafter provided, except in an appropriate receptacle or incinerator at least fifteen feet (15') from any building. In those instances where it is impractical or impossible to confine a fire to a receptacle or incinerator in an A, R, C, and E district, a fire may be kindled or maintained only if such a fire is kindled or maintained at a distance of two hundred fifty feet (250') from any building and thirty-five feet (35') from any public right-of-way. All fires whether maintained in a receptacle or incinerator or in the open shall be kept under constant supervision during incineration and at the end of said period shall be completely extinguished.
 2. Campfires. Campfires shall be allowed in all districts, at any time, subject to the following regulations:

- i. Campfire should be no great than three feet (3') across and no closer than twenty-five feet (25') to any building.
- ii. Campfire should be enclosed with stones or bricks or some other method to ensure the fire will not spread.
- iii. Campfire must burn only dry firewood. No other materials are permitted.
- iv. Campfire's purpose is comradeship.
- v. At least one (1) adult must be present at fire at all times.
- vi. Campfire must be fully extinguished at end of period.

E. Burning of Municipal Waste, Hazardous Waste or Designated Recyclable Materials. It shall be unlawful for any person or persons to burn Municipal Waste, Hazardous Materials, or Designated Recyclable Materials in any fire.

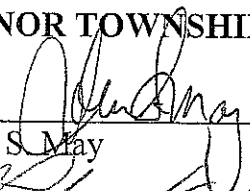
SECTION 5. Enforcement. The Zoning Officer shall have the power to enforce the provisions of this Ordinance.

SECTION 6. Penalties. Any person violating any provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment as provided by law. Each day the violation exists shall constitute a separate offense.

SECTION 7. Effective Date. This Ordinance shall become effective ~~five~~
~~(5) days after the date of its adoption.~~ September 30, 2005.

ENACTED AND ORDAINED this 5th day of July,
2005.

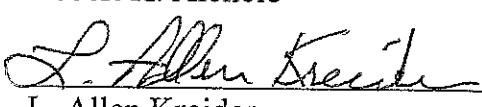
MANOR TOWNSHIP



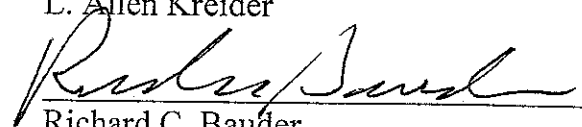
John S. May



Robert K. Aichele



L. Allen Kreider



Richard C. Bauder



Jay C. Breneman