

## Chapter 68. Burning, Open

[HISTORY: Adopted by the Board of Supervisors of the Township of Union 8-17-1987 by Ord. No. 87-6. Amendments noted where applicable.]

### **GENERAL REFERENCES**

Code enforcement — See Ch. 79.

### § 68-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

#### **BOARD OF SUPERVISORS**

The Board of Supervisors of the Township of Union.<sup>[1]</sup>

[1] *Editor's Note: The original definitions of "furnace" and "garbage," which immediately preceded this definition, were repealed 9-16-2002 by Ord. No. 2002-3.*

### § 68-2. Enforcement.

[Amended 9-16-2002 by Ord. No. 2002-3]

The Board of Supervisors of Union Township shall have the power and duty to enforce the provisions of this chapter. The Board of Supervisors does further appoint the Code Enforcement Officer as the agent of the Board of Supervisors to enforce the provisions of this chapter.

### § 68-3. Prohibited acts.

[Amended 10-27-2008 by Ord. No. 2008-05]

Within the Union Township limits, no persons shall:

- A. Ignite, feed or fail to extinguish any open fire for the burning of any material whatsoever between one hour prior to sundown and sunup.
- B. Cause, suffer, allow or permit the maintenance of any open fire for the burning of any material whatsoever, on property under their control, between one hour prior to sundown and sunup.
- C. Allow any open fire, ignited by them or occurring on property under their control, to at any time go unguarded by one or more responsible adult persons prior to the time the fire has burned out or been fully extinguished.
- D. Allow any open fire, ignited by them or occurring on property under their control, to at any time burn at a distance of less than 50 feet from any property line, building, fence, hedge or other combustible material.
- E. Accumulate, receive, accept for burning, ignite or permit to burn any material originating on or transferred from the land of any other person, company, job site or business.

- F. Ignite, maintain or allow to occur on property under their control, at any time, the burning of demolition and construction waste, furniture, tires, vehicles, mattresses, box springs, metal scrap, appliances, batteries, petroleum products, vinyls or hazardous materials.

## § 68-4. Fire ban emergency.

[Added 9-16-2002 by Ord. No. 2002-3]

The Board of Supervisors may declare a fire ban emergency in the Township of Union during periods of drought, or other periods of high fire risk to woodlands or property within the Township of Union. Upon the Board of Supervisors declaring a fire ban emergency, all outdoor, open burning or fire shall be prohibited until the ban is lifted by the Board of Supervisors. Any such ban shall be imposed by declaration of the Supervisors of the Township of Union at a public meeting of the Board of Supervisors. Following the declaration, the lifting of the emergency fire ban shall also be accomplished at a public meeting of the Board of Supervisors. The Township shall publish a notice of the fire ban emergency once in a local newspaper at the time of its initiation, and once at the time of the lifting of the emergency fire ban.

## § 68-5. Violations and penalties.

[Amended 9-16-2002 by Ord. No. 2002-3]

- A. Any person who shall violate any provision of this chapter shall be subject to the penalties set forth in Chapter 1, Article III, General Penalty, of this Code.

[Amended 9-20-2004 by Ord. No. 2004-14]

- B. In addition to the penalties set forth above, in the event that a fire is ignited as a result of any violation of this chapter, the person who violates or permits the violation of the chapter shall also be subject to the payment of restitution to the local fire companies who responded to the fire incident, and shall pay those fire companies the charges necessary to cover the fire-fighting costs of the labor expended by the fireman and the costs of the equipment utilized by the fireman.