

ORDINANCE NO. 35

AN ORDINANCE OF THE TOWNSHIP OF ADAMS, COUNTY OF CAMBRIA STATE OF PENNSYLVANIA, PROHIBITING THE BURNING OF TRASH, RUBBRISH, GARBAGE, REFUSE, DEBRIS, GRASS, WEEDS, BRUSH, TREES, LEAVES OR ANY OTHER SUBSTANCE OR MATERIAL EXCEPT IN CERTAIN CIRCUMSTANCES REQUIRING THE OBTAINING OF A PERMIT PRIOR TO ANY SUCH BURNING, PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED, in exercise of the powers granted by the "Second Class Township Code," 1933, May 1, P.L, 103; reenacted 1947, July 10, P,L, 1481, by the Supervisors of the Township of Adams as follows :

1. It shall be unlawful to build or kindle fires to burn garbage on either public or private property within the limits of the Township of Adams, garbage being defined as food waste. It shall be lawful, by permit, to build or kindle fires and burn trash, rubbish, refuse, debris, brush, trees, grass, weeds, leaves or other combustible substance or material on every Saturday of the year and after 5:00 P.M, on weekdays. No fire kindled within the Township shall be in excess of six feet in diameter or the flames higher than four and one-half feet. |

2. Fireplaces, barbeque pits and charcoal burners are

permitted if used for social, cooking or recreational purposes, and not used to burn substances set forth in paragraph one (1) hereof and not used to circumvent the intent and prohibition of this ordinance.

3. Schools or bona fide organizations thereof within the Township may, upon obtaining a permit, make a bonfire for use in conjunction with an organized pep rally or similar function. Such school or bona fide organization is hereby exempted from the permit fee,

4, Outdoor burning otherwise, will be permitted within the Township in the following limited circumstances and under the following conditions: Brush, trees and similar matter cut down in the course of clearing a lot or parcel of ground for the purpose of selling same or building thereon, and debris resulting from the demolition or razing of a dwelling, barn or other ; building may be burnt; provided, however, that such burning is permitted by the laws of the State of Pennsylvania and the Federal government and the regulations of any administrative agency of the State of Pennsylvania and the Federal government and the person corporation or other entity seeking to do such burning has fully complied with any such laws or regulations; and: provided further that the person, corporation or other entity j to do such burning has first obtained a permit from the Township of Adams or its designated representative.

5. -The permit required by paragraph four (4) above shall be issued by the Township Superintendent or Road Master after a

inspection by him or by another Township representative assigned for that purpose. Such permit shall contain such specific restrictions and precautions as may be deemed necessary by the officer issuing said permit.

The permit shall fix the time when such fire may be permitted to be built or kindled. The aforementioned officer may refuse to issue permit under this paragraph if, in his opinion, the contemplated fire would create an undue risk of harm to persons or property within the Township.

6. A person, corporation or other entity who shall violate of the provisions of this ordinance or a permit issued hereunder shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100.00 and not more than \$300.00, plus costs of prosecution, and in default of payment of such fines and costs, to undergo imprisonment for a period not to exceed ten (10) days.

7. This ordinance shall not apply to fires organized fire company of the Township for the purpose or testing of equipment.

8, This ordinance shall become effective September 6, 1979