

# Brighton Township

## Burning Ordinance

Burning, Outdoor

82-1. Purpose

82-3 Violations

82-2 Prohibited activities; exceptions

HISTORY: Adopted by the Board of Supervisors of the Township of Brighton 9-24-1973 by Ord. No. 51. [Amendments noted where applicable.]

### **General Preferences**

*82-1. Purpose.*

This chapter is enacted in the interest of the health, safety and welfare of the residents of the Township of Brighton for the prevention of fires and to eliminate nuisances caused by smoke, cinders and ashes.

*82-2. Prohibited activities; exceptions.*

1. No person shall burn any paper or refuse outdoors within the limits of the Township of Brighton unless such fires are protected by salamander, wire basket or masonry enclosure. Such receptacle must have openings not greater in size than 1/2 inch. The receptacle must be equipped with a top so constructed as to prevent fly ash from escaping into the atmosphere.
2. No such outside fire shall be kindled or maintained within 10 feet of any building or the opening of any building or within 10 feet of any property line or street line.
3. The burning of any material is prohibited upon any public street or alley.
4. No fire shall be kindled or maintained on Sunday or legal holidays, but shall be permitted on Monday, Tuesday, Wednesday, Thursday, Friday or Saturday of each week between the hours of 7:00 a.m. and 7:00 p.m. All fires must be tended at all times until the fire is out.
5. The burning of garbage, vegetable waste, rubber, plastics, furniture, glass, metals, crocking, car products or any other materials which will create nauseous or noxious fumes, smoke, toxic chemicals or excessive fly ash is specifically prohibited.

6. The burning of leaves, dry grass and garden waste is specifically prohibited on all lots of 10 acres or less. [Amended 10-12-1992 by Ord. No. 85]

7. It shall be lawful to burn paper and other refuse material that is readily combustible and will not create nauseous fumes, noxious smoke or excessive fly ash during the hours set forth under Section D above.

8. Charcoal or wood fires kindled for the purpose of outside barbecues shall be permitted, and shall be considered recreational fires exempt from the restrictions set forth in Section 82-2.D. Such fires shall be permitted from 7:00 a.m. to 11:00 p.m. All fires must be tended at all times until the fire is out. [Amended 6-9-2008 by Ord. No. 159]

9. Fireplaces within a private residence are permitted for the purpose of providing heat or for use as a barbecue, but in no event shall garbage, rubbish or trash be burned in a fireplace.

10. The burning of large brush piles or grass areas for the purpose of clearing land shall be permitted, provided that the township's Fire Department is contacted in advance and advised of such plans so that the Fire Department may be aware of the location of said land and be able to stand by in case of emergency.

11. All persons engaged in the business or occupation of farming shall be exempt from the restrictions set forth in § 82-2D and J.

*82-3. Violations and penalties. [Amended 10-12-1992 by Ord. No. 85]*

Any person who shall violate any of the provisions of this chapter or fail to comply herewith shall, upon conviction before a District Justice, be subject to a fine of not less than \$100 not more than \$600, plus costs of prosecution, for each violation. In the event that the fines and costs are not paid, the defendant shall be sentenced to serve not more than 30 days in the Beaver County Jail. Each day the violation exists shall constitute a separate offense.

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