

**BOROUGH OF BLAKELY
ORDINANCE NO. OF
2020**

AN ORDINANCE REGULATING THE OPEN BURNS

BE IT ENACTED AND ORDAINED by the Council of the Borough of Blakely and it is hereby **ENACTED AND ORDAINED** by the authority of the same as follows:

ARTICLE I. GENERAL SCOPE AND INTENT

The ordinance will apply to all residents and properties within the Borough of Blakely PA. It is the intent of this ordinance to provide the residents of Blakely Borough a formal permitted use of outdoor fire appliances and fuels for life sustainment and comfort as well as a leisure option of a controlled outdoor “camp” style fire. The fire appliance and fuel choice will have limits so as to control environmental nuisance problems that go along with outdoor burning such as smoke, odor and excessive heat and flame. These limits will hopefully add a greater margin of life, property and environmental safety for such activities. This ordinance does not pertain to outdoor or indoor wood burners designed for a primary heat source.

ARTICLE II. ALLOWABLE OUTDOOR OPEN FLAME/HEAT ACTIVITIES

Section 1. The following “open flame/heat” conditions and purposes are allowable:

- A): Appliances specifically designed and manufactured for supplemental outdoor heating purposes. The appliances may not be modified by the owner in any form. The appliances must be operated per the manufacturer’s recommendations.

- B): Appliances designed and either manufactured or self built, that are intended for the purpose of food preparation.

- C): Appliances designed and either manufactured or self built, that are intended for the purpose of a campfire type experience. The appliance must not create a burn area of more than 3 feet in diameter or 9sq/ft total area. If self built the appliance must be made of fireproof materials such as heavy gauge steel, brick, stone, cultured stone, and concrete. The appliance must be constructed in a manor to contain the lateral spread of the fuel load in all directions (360 degrees). The appliance may not be placed or built within 15ft of any structure. The appliance shall not be placed or built within 22ft of any neighbor owned structure. The flame shall be fuel controlled to a maximum height of 3 feet. It is recommended that a screen or grate be placed

over the appliance to serve as a spark arrestor. A fire extinguishing agent, water bucket or garden hose should be near and ready during a burn session.

D): The following fuels are allowed for the above purposes:

Liquid fuel such as “Coleman Fuel” or lighter fluid

Natural Gas

Propane (LP Gas),

Charcoal

Dry Seasoned Hardwoods

Wood Pellets

ARTICLE 3. PROHIBITED ACTIVITIES:

Section 1. The following actions are not permissible actions.

Unattended burn sessions

Burns during high winds 15+ mph

Burns during droughts or announced “Burn Ban” periods

Use of Gasoline, Fuel Oil or Kerosene

Burning of any household, yard, commercial or industrial garbage or waste

Burning of any textiles

Burning of cardboard or newsprint except for use as kindling

Burns emitting large amounts of smoke or odors or intense heat

Burning after midnight or before 7:00am

Flame heights of over 3ft from ground level

Burns near structures, or other combustible or flammable items

Burning of softwoods such as Pine or Poplar

Burning of any chemically treated woods such as pallets marked with “MB”

Burning of any logs, boards or pallets that do not fit within the appliance

ARTICLE IV. COMPLAINTS

Section 1. Any complaints to Borough Management or the 911 center will be investigated by Borough Police for any prohibited burning violations. The burn may have to be brought into compliance and/or extinguished completely as requested by police. Some complaints may need to be addressed even when the burn is in full compliance. It is the intent of this ordinance to be reasonable with open burns but not to the point where it is disturbing neighbors and causing nuisance calls to the Police Department or Borough Management.

ARTICLE V. DISPOSAL

Section 1. The disposal of ash and cinders and any other products of the burn must be done in a safe manner. Any hot ashes must be placed in a metal can or bucket. The bucket may not be placed within 10ft of any combustible material or structures until it is all cool. Any cold/wet ashes or waste must be disposed of in an environmentally safe manner.

ARTICLE VI. FINES/PENALTIES

The following shall apply:

A person conducting an open burn in violation of the provisions of this article commits a summary offense and, upon conviction, shall be punished by a fine of not more than \$100.

ORDAINED AND ENACTED THIS 21st day of September, 2020

ATTEST:

The Borough of Blakely

Thomas J. Wascura, Secretary

Joseph F. Ercolani, Jr., President of Council

Approved this 21st day of September, 2020

Jeanette Acciare Mariani, Mayor