

THE ENFORCEMENT OFFICER FOR THIS BURNING
ORDINANCE WITH IN THE VILLAGE OF PROSPERITY
IS THE FIRE CHIEF OR ANY LINE OFFICER

TOWNSHIP OF MORRIS
WASHINGTON COUNTY, PENNSYLVANIA
ORDINANCE NO. 3 OF 1991

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, WASHINGTON COUNTY, PENNSYLVANIA, RESTRICTING OPEN FIRES AND BURNING IN THE VILLAGE OF PROSPERITY BY THE ESTABLISHMENT OF REGULATIONS, EXCEPTIONS AND DEFINITIONS, DESIGNATING AN ENFORCEMENT OFFICER, AND PRESCRIBING PENALTIES FOR VIOLATION.

NOW, THEREFORE, the Township of Morris, Washington County, Pennsylvania hereby enacts and ordains as follows:

Section 1. Definitions. As used in this Ordinance, 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 Morris.

OPEN FIRE - A fire in which any material is burned in the open or in a receptacle other than a furnace or incinerator.

PERSON - Any individual, partnership, association, corporation, department, bureau, agency or other legal entity.

Section 2. Enforcement. The Board of Supervisors of the Township shall have the power and duty to enforce the provisions of this Ordinance and shall also pursuant to resolution have the power and authority to designate an enforcement officer for the purpose of enforcing the provisions of this Ordinance.

Section 3. Regulations. No person shall ignite or feed an open fire for the destruction of any material whatsoever in any public or private place outside any building, or cause, suffer, allow, or permit the maintenance of any open fire for the destruction of any material whatsoever on any property under his control outside of any building within the following area of the Village of Prosperity, Morris Township, Pennsylvania:

An area of the Village of Prosperity, approximately rectangular in shape, bounded by and including the properties now or formerly of Wigman and Sanders on the North; bounded by the alley to the East of and running parallel to Pennsylvania Route 18 on the East; bounded by and including the properties now or formerly of McClenathen and Kingston on the South; and bounded by an alley West of and running parallel with Pennsylvania Route 18 on the West.

Exceptions:

1. The restrictions set forth in this Section shall not apply to the burning of leaves or paper.

2. Open fires may be set in the performance of an official duty of any public officer if the fire is necessary for: (a) the prevention of a fire hazard which cannot be abated by other means; or (b) the protection of public health.

3. Open fires may be set with approval of the Township Supervisors or the authorized enforcement agent of this Ordinance; provided,

(a) branches, other non-putrescible vegetable matter, and other non-hazardous material only are burned,

(b) there is no practical available alternative method for disposal of the material to be burned,

(c) no hazardous or other objectionable condition will be created by such burning.

Section 4. Recreational Burning. Any person desiring to burn for recreational purposes at a time other than permitted by this Ordinance may request a permit for such purpose. A request for a permit for recreational burning must be made 48 hours in advance of the time scheduled for burning and the permit to be issued in response to such request may be issued by any Township Supervisor or the Township Secretary. There shall be no fee for such permit.

Section 5. Penalties. Any person who shall violate any provision of this Ordinance, shall, upon conviction thereof before the District Justice, be sentenced to pay a fine of not more than \$50.00, and/or to imprisonment for a term not to exceed five (5) days.

Section 6. Severability. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional or invalid for any reason, the remainder of such Ordinance shall not be invalidated by such action.

Section 7. Effective Date. This Ordinance shall become effective five (5) days after its enactment.

ORDAINED AND ENACTED into an Ordinance this 3rd day of December, 1991 A.D.

ATTEST:

Kathy A. Lesack
Township Secretary

TOWNSHIP OF MORRIS

By: _____
Supervisor

By: John B. Clutte
Supervisor

By: John B. Ganser
Supervisor

(SEAL)