

## Part 5

### Open Fires and Burning

#### §501. Definitions.

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

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.

(Ord. 915, 9/12/2005, §1)

#### §502. Regulations.

Within the Borough of Bridgeville, no person shall:

1. Conduct or allow to be conducted the open burning of any material, except as hereinafter set forth.
2. Any open burning, if permitted, shall be tended by a responsible person at all times.

(Ord. 915, 9/12/2005, §2)

#### §503. Exceptions.

Subject to the following exceptions:

1. 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.
2. Open fires may be conducted solely for the purpose of noncommercial preparation of food for human consumption, light, recreation, camping, or provision of warmth for outside workers.

## FIRE PREVENTION AND FIRE PROTECTION

3. Notwithstanding the foregoing exceptions in Subsection (2), the exceptions shall be further restricted as follows:
  - A. Such burning shall contribute only a negligible amount of air contaminants and shall not create any hazardous or other objectionable condition.
  - B. No burning shall be conducted on "ozone action" days as declared by Borough or Allegheny County officials.
  - C. Only dry, clean wood products or other clean-burning fuels shall be burned; no building materials.
  - D. Only smokeless fuels, if any, shall be used to start a fire.
  - E. The material being burned shall be no larger than three (3) feet in diameter and shall be enclosed by a stone or block ring.
  - F. No such burning is allowed within ten (10) feet of any street, sidewalk, structure, inhabited area, property line, utility or overhanging structure.
  - G. All burning shall take place between the hours of 9:00 a.m. and 11:00 p.m.

(Ord. 915, 9/12/2005, §3)

### **§504. Permit.**

A burn permit from the Allegheny County Health Department Air Pollution Control Division shall be required to burn any pile of material larger than three (3) feet in diameter. Such permit shall be presented on demand to any officer of the Fire Bureau or Borough Code Enforcement Officer.

(Ord. 915, 9/12/2005, §4)

### **§505. Discovery of Fire.**

Immediately upon the discovery of any open burning not permitted hereunder, the person responsible for the property on which such burning occurs shall immediately extinguish or cause the extinguishment of such burning.

(Ord. 915, 9/12/2005, §5)

**§506. Presumption.**

Proof that the defendant in any enforcement action owns or controls the property on which open burning occurs that is not permitted shall be prima facie evidence that such defendant has conducted, or allowed to be conducted, such open burning.

(Ord. 915, 9/12/2005, §6)

**§ 507. Penalties.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00), and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

(Ord. 915, 9/12/2005, §7)