

**ORDINANCE 2008-04**

**Key: Add; [Delete]**

*WHEREAS*, on February 12, 2007, the Board of Commissioners (the Board) adopted Ordinance 2007-09, incorporating into the Township Code various updated regulations contained in the 2006 International Fire Code; and

*WHEREAS*, the Pennsylvania Department of Environmental Protection has interpreted the Pennsylvania Recycling and Waste Reduction Act (Act 101 of 1988, as amended) to require municipalities that are eligible for performance funding under said Act to prohibit the burning of certain recyclable materials; and

*WHEREAS*, the Board desires to further amend the Township Code to prohibit said burning to maintain compliance with the Act.

***NOW, THEREFORE BE IT ORDAINED AND ENACTED THAT*** the Board of Commissioners does hereby amend the Township Code, Chapter 166, Fire Prevention, as follows:

307.1 Outdoor fires. Outdoor fires shall be subject to the following regulations, and no person shall kindle or maintain any outdoor fire or authorize any such fire to be kindled or maintained unless the following conditions are met:

1. The location of the fire is not less than 60 feet from any building or structure and not less than 60 feet from any property line or street line.
- \* 2. Burning of dry tree limbs, **[and] brush, and [shall be permitted only on properties occupied as single-family or two-family dwellings. The burning of]** leaves at any time shall be prohibited by this code.
3. No burning may occur before 8:00 a.m., and the fire must be completely extinguished, including smoldering, before 4:00 p.m.
4. The fire must be attended constantly by the property owner or by a designee competent to comply with these regulations. A charged water hose attached to an operable water faucet, capable of extending 15 feet beyond the site of the fire, shall be maintained at all times.
5. Burning shall not take place during periods of high winds or drought or in periods of weather inversion or any other situation deemed hazardous by the Code Official.
6. Burning shall be permitted only during the months of November through April. Burning shall be prohibited during all other months of the year.
- \* **[7. A burning permit shall be required in order to burn tree limbs and/or brush. Permits shall be issued annually, subject to the fee schedule set forth in Chapter 162, Fees, of the Township Code. Limited burning permits shall be valid only for those months during which burning is permitted.]**

307.2 Public bonfires. Public bonfires are prohibited unless a permit is first obtained from the Code Official. Permit fees shall be charged as set forth in Chapter 162, Fees, of the Township Code. Permits will be issued only to schools, churches or public service organizations. Permits will be issued only if the following conditions are met:

1. The location is approved by the Code Official and is not less than 150 feet from any structure.
  2. Fire apparatus or equipment of the proper type and size shall be made available at the site of the bonfire.
  3. Adequate provisions are made to keep spectators at a safe distance from the bonfire.
  - \* 4. Fuel for bonfires shall consist of seasoned dry wood only and shall be ignited with a small quantity of paper. Bonfires otherwise shall not contain any **[rubbish, garbage, trash] refuse, as defined in Chapter 98, Air Pollution, or recyclable materials as defined in Chapter 240, Article III, Recycling**, or any material made or coated with rubber, plastic, leather or petroleum-based materials and shall not contain any flammable or combustible liquids. The allowable quantity of wood to be burned shall be determined by the Code Official and shall be based upon the fire requirements of the situation and the desirable duration of burn.
- \* 307.3 Burning prohibited. The outdoor burning of any **[rubbish, garbage or trash] refuse, as defined in Chapter 98, Air Pollution, or recyclable materials as defined in Chapter 240, Article III, Recycling**, shall be strictly prohibited by this code.

*ORDAINED AND ENACTED* this 18th day of August, 2008.

**RADNOR TOWNSHIP**

By: \_\_\_\_\_  
Harry G. Mahoney, Esq., President

Attest: \_\_\_\_\_  
Coretta N. Hutchinson, Secretary