

**ORDINANCE NO. 2008-7**

**AN ORDINANCE OF THE TOWNSHIP OF MONROE, SNYDER COUNTY, PENNSYLVANIA, RESTRICTING OR REGULATING OUTDOOR FIRES WITHIN THE TOWNSHIP OF MONROE, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.**

WHEREAS, Monroe Township Supervisors, by Ordinance No. 2004-7, have adopted an Ordinance restricting or regulating outdoor fires within Monroe Township, Snyder County, Pennsylvania;

WHEREAS, the Board of Supervisors of Monroe Township held a public hearing pursuant to public notice on the 18<sup>th</sup> day of November, 2008, to receive public comments concerning the Monroe Township Burning Ordinance; and

WHEREAS, it is the opinion of the Monroe Township Board of Supervisors that the within Ordinance is in the best interests of the health, safety and welfare of the residents of Monroe Township to restrict or regulate outdoor fires.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, and it is hereby ordained and enacted by the Board of Supervisors of Monroe Township, Snyder County, Pennsylvania, as follows:

Section 1: The Board of Supervisors of the Township of Monroe, finding that out-of-door burning is detrimental to the physical, mental and social well-being of the people as well as to their comfort, living conditions, general welfare and safety and being therefore a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of out-of-door burning within the Township of Monroe.

Section 2: No person, firm, association or corporation shall set or maintain any fire upon any of the streets, sidewalks, alleys or public grounds in the Township of Monroe, Snyder County, Pennsylvania, or burn or cause to be burned thereon any paper, boxes, rubbish, leaves or any other kind of substance, nor shall any person or persons set or maintain any fire, or burn or cause to be burned any substance or material of any kind, out-of-doors, anywhere in the Township of Monroe, except from the time of sunrise to sunset every day of the week.

Section 3: Out-of-door fires shall be permitted only upon private property in Monroe Township, shall take place at least fifty (50) feet from any structure on an adjoining property, and shall be built or confined in a non-combustible container, covered with a wire screen of one-half inch or smaller mesh, or in other suitable non-combustible containers, except for fires of leaves or brush which need not be confined to or covered by a non-combustible container. A responsible adult must be present at all times when out-of-door burning takes place.



Excepted from these regulations are the following so long as a responsible adult is present at all times when such fires take place:

a. Fires solely for the cooking of food for immediate consumption such as would be prepared on a camp fire, charcoal grill or gas grill.

b. Camp fires for warmth, fellowship, food preparation or ceremonial purposes by bona fide groups of individuals such as hunting camps or public organizations such as Boy Scouts or Girl Scouts.

c. Fires set in the performance of public duty by any fireman or public official for official purposes.

Section 4: All fires must be extinguished thoroughly with no smoldering at any time.

Section 5: No garbage, offal, or items for which Monroe Township provides recycling may be burned at any time either indoors or out-of-doors.

Section 6: The Monroe Township Board of Supervisors or the Snyder County Commissioners may prohibit any and all outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.

Section 7: Any person who shall violate the terms or conditions of this ordinance shall, upon conviction thereof, be subject to a fine of not more than \$1,000 and/or imprisonment for a term not to exceed 90 days, or both. Each day that a violation continues after notice of the violation has been served shall be deemed to be a separate offense.

Section 8: Ordinance No. 2004-7 and any other Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 9: The Township of Monroe and its agents, officials, and representatives, shall not, under any circumstances, be liable or responsible for damages caused to any person or property by reason of the conduct of any burning activity in compliance with the terms and provisions of this Ordinance. The individual person or party responsible for any such fire shall bear sole liability for any damages caused as a result thereof.

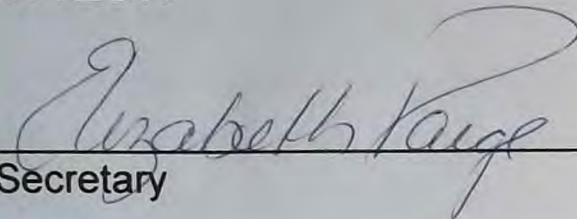
Section 10: The Township hereby declares that should any section, paragraph, sentence or word of this Ordinance be declared for any reason to be invalid, it is the intent of this Township that it would have adopted all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 11: This ordinance shall become effective five (5) days after passage.



DULY ENACTED AND ORDAINED this 18<sup>th</sup> day of November, 2008, by the Board of Supervisors of the Township of Monroe, Snyder County, Pennsylvania, in lawful session duly assembled, after public hearing following proper notice of its intent to adopt this Ordinance.

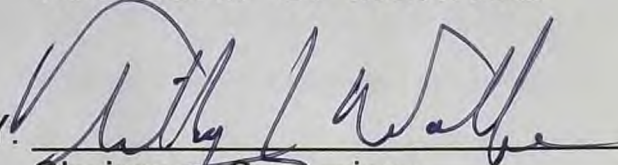
ATTEST:

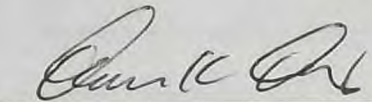
  
Secretary

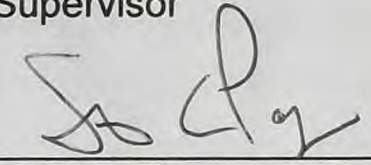


(Monroe Township Seal)

TOWNSHIP OF MONROE

BY:   
Chairman, Supervisor

BY:   
Supervisor

BY:   
Supervisor