

MONROE TOWNSHIP ORDINANCE NO. 2004 - 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.

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 container, 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 time 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 fided 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 purpose.

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

Section 5: No garbage or offal 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: After a written notice or warning issued to any property owner, any person who shall violate any provisions of this Ordinance shall, upon conviction, be punished by a fine of not less than one hundred dollars (\$100.00), nor more than three hundred dollars (\$300.00), and the cost of prosecution, and in default of the payment of such fine and costs and/or to imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Ordinance continues, shall constitute a separate offense.

Section 8: All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

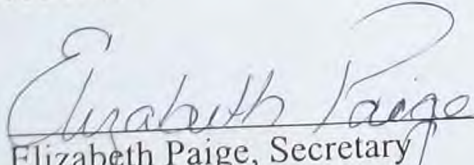
Section 9: The Township of Monroe and its agents, officials, and representatives, shall not, under any circumstances, be liable or responsible for damages caused to any person or property by reason of the conduct of any burning activity in compliance with the terms and provisions of this Ordinance. The 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.

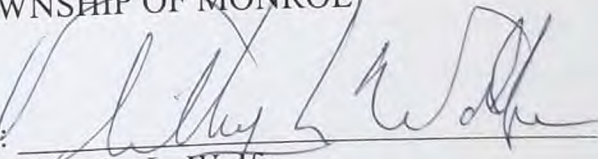
Section 11: This ordinance shall become effective five (5) days after passage.

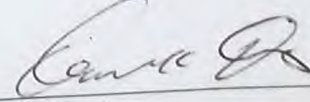
DULY ENACTED AND ORDAINED this 26 day of OCTOBER, 2004, by the Board of Supervisors of the Township of Monroe, Snyder County, Pennsylvania, in lawful sessions duly assembled, after a public hearing following a minimum of seven (7) days notice and after proper notice of its intent to adopt this ordinance.

ATTEST:


Elizabeth Paige, Secretary

TOWNSHIP OF MONROE

BY: 
Timothy L. Wolfe

BY: 
Dean Davis

BY: _____
Steven Paige

(Township Seal)

