CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

Part 1

Outdoor Burning

§101. Definitions
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Part 1

Outdoor Burning

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

FURNACE - any enclosed device specifically designed for burning any material for the production of heat.

GARBAGE - all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

GOVERNING BODY - the Borough Council of the Borough of East Rochester.

INCINERATOR - any device specifically designed for the destruction by burning of refuse, sewage sludge, or any other combustible material.

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.

REFUSE - garbage, rubbish and trade waste.

RUBBISH - solids not considered to be highly flammable or explosive including but not limited to rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, tree branches, tree leaves, yard trimmings, furniture, tin cans, glass, crockery, masonry and other similar materials.

SALVAGE OPERATION - any business, trade or industry engaged in whole or in part in salvaging or reclaiming any product or material, including but not limited to, metals, chemicals, shipping containers or drums.

TRADE WASTE - all solid or liquid material or rubbish resulting from construction, building operations, or the prosecution of any business, trade or industry including but not limited to, plastic products, cartons, paint, grease, oil and other petroleum products, chemicals, cinders and other forms of solid or liquid waste materials; provided, that "trade waste" shall not include any coal refuse associated with the mining or preparation of coal.

(Ord. 143, 12/12/1962; as revised by Ord. 263, 4/7/1992)

§102. Regulations. Within the Borough limits, no person shall:

1. Ignite or feed an open fire for the destruction of refuse or in the conduct of a salvage operation in any public or private place outside any building.

2. Cause, suffer, allow, or permit the maintenance of any open fire for the destruction of refuse, or in the conduct of a salvage operation on any property under his control outside of any building.

(Ord. 143, 12/12/1962; as revised by Ord. 263, 4/7/1992)

§103. 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.

B. the protection of public health.

2. Open fires may be set with approval of the Fire Chief of this Part; provided:

A. Leaves, branches and other non-putrescible vegetable matter 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.

D. No such burning is allowed on any street or sidewalk within the Borough.

E. All such burning takes place between the hours of 7:00 A.M. and 7:00 P.M., Tuesday through Saturday.

(Ord. 143, 12/12/1962; as revised by Ord. 263, 4/7/1992)

§104. Enforcement. The Borough Council of the Borough of East Rochester shall appoint the Fire Chief who shall have the power to enforce the provisions of this Part. (Ord. 143, 12/12/1962; as revised by Ord. 263, 4/7/1992)

§105. 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 ($600.00) dollars plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed thirty (30) days. (Ord. 143, 12/12/1962; as revised by Ord. 263, 4/7/1992)