

CHADDS FORD TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NUMBER 101
OPEN BURNING

AN ORDINANCE OF CHADDS FORD TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA,
TO REGULATE OPEN BURNING IN ALL
RESIDENTIAL DISTRICTS WITHIN THE TOWNSHIP

The Board of Supervisors of Chadds Ford Township, Delaware County, Pennsylvania, hereby adopt the following ordinance to read as follows:

Chadds Ford Township Delaware County:

Purpose: The purpose of this Ordinance is to regulate burning in the R-1 and R-2 zoning districts; to restrict the location and types of material to be burned; and to establish regulations governing outdoor fires.

No person or persons shall set or maintain any fire upon any public street, sidewalk, right of way, alley or public ground in the Township of Chadds Ford, or burn or cause to be burned thereon any paper, boxes, rubbish or other material or substance of any kind.

* Burning household trash, garbage, and similar refuse is prohibited.

* Burning of treated lumber and construction debris is prohibited.

* Open burning that causes smoke or ash to annoy adjoining residential property owners is prohibited. In addition, open burning on January 1st, Easter, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve and Christmas Day is prohibited.

* Open burning, when not prohibited by this ordinance, shall be permitted from sunrise to sunset. Open burning of any kind is prohibited from sunset to sunrise and any open fires burning during the period from sunrise to sunset shall either be burned out or extinguished by sunset.

* Fire extinguishing materials, including at least water adequate to control the fire, must be present and accessible by the person or persons conducting the open burning at all times during the time the open burning is occurring. The person or persons conducting the open burning must be present and may not leave the fire unattended for until the fire is burned out or extinguished.

* Open burning is permitted herein and may occur a maximum of twelve (12) days a year and no more than once per calendar month on any one property.

* No provision of this ordinance shall be interpreted to prohibit burning of appropriate fuels in residential fireplaces (indoor or outdoor), barbeques, grills, small fires for cooking, or small recreational "camp fires."

The Board of Supervisors may, by public notice, prohibit open burning of any kind during unsafe periods caused by drought, dry conditions, wind, or any other unfavorable condition.

Severability and Partial Invalidity. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of the Ordinance which shall remain in full force and effect; and to this end, the provisions of this Ordinance are hereby declared to be severable.

Any person violating any provision of this Ordinance or failing to comply with any order issued pursuant to any section hereof shall, upon conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars (\$500.00) for the first offense and one thousand dollars (\$1,000.00) for each subsequent offense. Each day a violation of this Ordinance continues shall constitute a separate offense.

All other Ordinances or parts of ordinances inconsistent herewith are hereby repealed.