

## **Article 4**

### **Burning**

#### **401. Purpose.**

This ordinance is enacted in the interest of the health, safety and welfare of the residents of the Borough of Alexandria for the prevention of fires and to eliminate nuisances caused by smoke, cinders and ashes.

- a. No person shall burn any paper or refuse outdoors within ten (10) feet of any building or the opening of any building or within ten (10) feet of any property line or street line.
- b. The burning of any material is prohibited upon any public street or alley.
- c. No fire shall be kindled or maintained on Sunday or legal holidays, but shall be permitted on Monday, Tuesday, Wednesday, Thursday, Friday or Saturday of each week from dawn to dusk. All fires must be tended at all times until the fire is out.
- d. The burning of garbage, vegetable waste, rubber, plastics, furniture, glass, metals, crocking, car products or any other materials which will create nauseous or noxious fumes, smoke, toxic chemicals or excessive fly ash, is specifically prohibited.
- e. The burning of brush, dry grass or leaves is permitted during the hours set forth under Section C above.
- f. It shall be lawful to burn paper and other refuse material that is readily combustible, and will not create nauseous fumes, noxious smoke, or excessive fly ash during the time set forth under Section C above.
- g. Charcoal or wood fires kindled for the purpose of outside barbecues shall be permitted.
- h. Fireplaces within a private residence are permitted for the purpose of providing heat or for use as a barbecue, but in no event shall garbage, rubbish or trash be burned in a fireplace.
1. The burning of large brush piles or grass areas for the purpose of clearing land shall be permitted provided the Borough's fire department is contacted in advance and advised of such plans so that the fire department may be aware of the location of said land and be able to stand by in case of emergency.

1. If this Ordinance or any part of the same is declared unconstitutional, invalid, or otherwise, the remaining part shall remain in full force and effect. Any Ordinance or part of any Ordinance of the Borough of Alexandria which has heretofore been passed and which is inconsistent with any term of this Ordinance is hereby repealed.

**402. Penalties.**

Any person who shall violate any of the provisions of this Ordinance or fail to comply herewith shall upon conviction before a District Magistrate, be subject to a fine of not less than twenty-five (\$25), nor more than one-hundred (\$100), plus costs of prosecution, for each violation. In the event the fine and costs are not paid, the defendant shall be sentenced to serve not more than ten (10) days in the Huntingdon County Jail. Each day the violation exists shall constitute a separate offense.

(Ordinance No. 1990-1, approved \_\_\_\_\_ 1990)