

LAW OFFICES

HENRY,.. CORCELIUS

200 PENN STREET
P. O. BOX 383
HUNTINGDON, PA 16652

SCOT D. GILL PETER M. MCMANAMON

C. JEWETT HENRY (1907-1979)
A. LYNN CORCELIUS (1917-2002)

TELEPHONE
814-643-2460
FAX
814 -643-3229

EMAIL
scotgill@penn.com pmcmanamon@penn.com

January 17, 2006

Borough of Alexandria
P. O. Box 291
Alexandria, PA 16611

Attention Barbara H.

Ryzner, Secretary Dear

Barb:

Enclosed is the original Ordinance regarding External Fuel Burning Devices and Appliances. I have advertised this Ordinance to be considered at the February 13, 2006 meeting.

If you require anything further,
please let me know. Thank you very
much.

Very truly yours,
HENRY-CORiELIUS/

Scot D. Gill

SG/rg
Enc

BY

ORDINANCE NO.2006-1

**AN ORDINANCE OF THE BOROUGH COUNCIL FOR THE BOROUGH OF ALEXANDRIA OUTLAWING
EXTERNAL (OUTDOOR} FUEL BURNING DEVICES AND APPLIANCES**

BE IT ORDAINED AND ENACTED by the BOROUGH OF ALEXANDRIA, Huntingdon County, Pennsylvania, and it is hereby enacted by the authority of the same that the BOROUGH OF ALEXANDRIA hereby determines and authorizes the following:

Preamble: It is the finding of the Borough Council of the Borough of Alexandria that the erection and use of outdoor fuel burning appliances or devices, as herein defined, is detrimental to the public health, safety and general welfare of the residents of the Borough of Alexandria. The density of structures within the Borough of Alexandria, the proximity of structures or buildings within the Borough of Alexandria, and the types of building materials that predominate within the Borough of Alexandria pose a greater risk of fire and are hereby deemed to be a significant safety issue in addition to creating potential nuisance and environmental impacts which would adversely affect Borough residents.

Section 1. Definition.

An external (outdoor) fuel burning devise or appliance is such a device or appliance, constructed to burn oil, wood, coal or other fuels, manufactured or constructed for placement outdoors for the purpose of heating the living area of a structure or building.

Section 2. Prohibition.

After the effective date of this Ordinance external (outdoor) fuel burning devices and appliances are hereby prohibited within the Borough of Alexandria.

Section 3. Penalties.

Any person, firm or corporation who shall violate any provision of this Ordinance, shall, upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred and 00/100 (\$300 .00) Dollars. Every day that a violation of this Ordinance continues shall constitute a separate offense.

Section 4. Severability.

I, f any sentence, clause, section, or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any o.f the remaining provisions, sentences, clauses, sections, or parts of the Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Alexandria that this ordinance would have been

adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5. Grandfather Clause.

This Ordinance shall not be construed to be retroactive and shall not require the removal of any external (outdoor) fuel burning device or appliance in existence within the Borough of Alexandria at the effective date of this Ordinance.

Section 6. Reconstruction of Existing Appliances or Appliances.

If an external (outdoor) fuel burning device or appliance is more than fifty (50%) percent torn down, physically deteriorated, or decayed; any rebuilding or restoration of said external (outdoor) fuel burning device or appliance shall be a violation of this Ordinance.

Section 7. Effective Date.

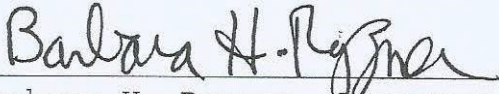
This Ordinance shall become effective on the 1st day of March 2006

ORDAINED AND ENACTED at a meeting of the
Borough Council of the BOROUGH OF ALEXANDRIA
held this 13th day of February, 2006.

BOROUGH COUNCIL OF THE
BOROUGH OF ALEXANDRIA.
BY

Carl R. Walker,
President

ATTEST:


Barbara H. Ryzner, Secretary

APPROVED as an Ordinance of the Borough
Council of the BOROUGH OF ALEXANDRIA, this
13th day of February, 2006.