

**BOROUGH OF RIMERSBURG
CLARION COUNTY, PENNSYLVANIA**

ORDINANCE # 3-2009

AN ORDINANCE OF THE BOROUGH OF RIMERSBURG, CLARION COUNTY, PENNSYLVANIA, REGULATING FIRES AND BURNING OF RUBBISH, REFUSE, AND OTHER MATERIAL IN THE BOROUGH OF RIMERSBURG, PROVIDING RESTRICTIONS AND REGULATIONS AND PENALTIES FOR VIOLATION THEREOF

BE IT ORDAINED AND ENACTED by the Borough Council of Rimersburg and it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION 1. Purpose: This Ordinance is enacted in the interest of the health, safety and welfare of the residents of the Borough of Rimersburg, for the prevention of fires and so eliminate nuisances caused by smoke, odors, cinders and ashes.

SECTION 2. A. No person shall burn any paper or refuse outdoors within the limits of the Borough of Rimersburg unless such fires are protected by salamander, wire basket or masonry enclosure. Such receptacle must have openings not greater in size than one-half (1/2) inch. The receptacle must be equipped with a top so constructed as to prevent fly ash from escaping into the atmosphere.

B. No such outside fire shall be kindled or maintained 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.

C. The burning of any material is prohibited upon any public street or alley.

D. No fire shall be kindled or maintained on Sunday or legal holidays, but shall be permitted on Tuesday, Thursday, or Saturday of each week between the hours of 7:00 o'clock A.M. and 6:00 o'clock P.M. All fires must be tended at all times until the fire is out.

E. The burning of garbage, vegetable waste, rubber, plastics, furniture, glass, metals, crocking, car products, brush, dry grass, leaves or any other materials which will create nauseous or noxious fumes, smoke, toxic chemicals or excessive fly ash, is specifically prohibited.

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 hours set fourth under Section D above.

G. Charcoal or wood fires kindled for the purpose of outside barbeques shall be permitted.

H. Fireplaces within a private residence are permitted for the purpose of providing heat or for use as a barbeque, but in no event shall garbage, rubbish or trash be burned in a fireplace.

I. The burning of large brush piles or grass areas for the purpose of clearing land shall be permitted provided the Borough 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 an emergency.

J. All persons engaged in the business or occupation of farming shall be exempt from the restrictions set forth in Section 2, Paragraphs D and I.

Section 3. 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 of the Borough of Rimersburg which has heretofore been passed and which is inconsistent with any term of this Ordinance is hereby repealed.

Section 4. PENALTIES: Any person who shall violate any of the provisions of this Ordinance or fail to comply herewith shall upon conviction before a District Justice, be subject to a fine of not more than Six Hundred (\$600.00) Dollars, 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 thirty (30) days in the Clarion County Jail. Each day the violation exists shall constitute a separate offense.

ORDAINED AND ENACTED at a Regular meeting of the Council of the Borough of Rimersburg, Clarion County, Pennsylvania, on the 8TH day of SEPT, 2009.

BOROUGH OF RIMERSBURG

By Richard H. Cooper
Council President

ATTEST:

Ann E. Kline
Secretary

AND NOW, the 8TH day of SEPT, 2009, the foregoing Ordinance is hereby approved.

Kenneth A. Corley
Mayor