

ST. CLAIR BOROUGH BURNING ORDINANCE

ORDINANCE NO. 356

BE IT ENACTED AND ORDAINED by the Borough of St. Clair, Schuylkill County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1 - TITLE

This Ordinance shall be referred to and cited as the St. Clair Borough Burning Ordinance.

SECTION 2 - DEFINITIONS

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.

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, trade waste and recyclable paper.

RUBBISH - Solids not considered to be highly flammable or explosive, including but not limited to rags, old clothes, leather, rubber, carpets, wood, 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.

SECTION 3- REGULATIONS

Within the limits of the Borough of St. Clair, no person shall:

- a. 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; or
- b. 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.

SECTION 4 - EXCEPTIONS

Subject to the following exceptions, open fires may be set:

- a. In the performance of an official duty of any public officer, if the fire is necessary for the prevention of a fire hazard which cannot be abated by other means or the protection of public health. The provisions of this chapter shall not apply to the use of barbecue grills, fireplaces, etc., for the purposes of food preparation.

SECTION 5 - ENFORCEMENT

This chapter shall be enforced by the St. Clair Borough Police Department.

SECTION 6 - VIOLATIONS AND PENALTIES

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600) and, in default of payment, no imprisonment for a term not to exceed thirty (30) days.

**BOROUGH COUNCIL OF THE
BOROUGH OF ST. CLAIR**

Date: September 1, 1998

By: John A. Shander
President

Date: September 1, 1998

By: Roland Price, Jr.
Secretary

(SEAL)

Approved by the Mayor, Richard E. Tomko, this 1st day of September, 1998.

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Richard E. Tomko

Richard E. Tomko - Mayor