

ORDINANCE NO. 363
WIND GAP BOROUGH
NORTHAMPTON COUNTY, PENNSYLVANIA

AN ORDINANCE REGULATING AND RESTRICTING OUTDOOR FIRES WITHIN THE BOROUGH OF WIND GAP, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND AMENDING ORDINANCE NO. 346 DATED, OCTOBER 6, 1986.

BE IT ORDAINED AND ENACTED by the Borough of Wind Gap, Northampton County, Pennsylvania by and through its Council duly assembled, and it is hereby ordained and enacted by the authority of same as follows:

SECTION 1. It is hereby ordained and enacted that out-of-door fires shall be permitted within the Borough of Wind Gap, upon private property, provided that the following regulations and restrictions are strictly adhered to:

1. Out-of-door fires may be built in and confined in a non-combustible container not exceeding forty-five cubic feet provided that said container is covered with a screen of non-flammable material of one-half inch mesh or smaller.

2. Burning outdoors will be permitted Monday through Friday, provided, however, said burning shall be limited to the period from sunrise to sunset.

3. Burning outdoors will be permitted on Saturdays from sunrise until 3:00 P.M.

4. No burning of any kind shall be permitted on Sundays. There shall be no exception to this provision.

5. All fires permitted under this Ordinance must be attended by at least one (1) individual at all times.

6. No brush, burnable materials or toxic materials may be brought into the Borough of Wind Gap for disposal by burning, unless

exigent circumstances can be demonstrated, or said brush, burnable materials, or toxic materials are brought into the Borough under the specific direction and control of the Borough of Wind Gap or the Wind Gap Fire Company.

7. Burning shall be strictly prohibited within fifty (50) feet of any wooded area or building. For purposes of this provision, a final determination as to what constitutes a wooded area shall be determined by one of the Wind Gap Fire Company officials charged with enforcement under this Ordinance.

SECTION 2. Open burning will be strictly prohibited within the Borough unless the person who intends to do the burning, or the owner of the property on which the burning is to occur, first obtains permission from one of the following officials:

Fire Chief
First Assistant Fire Chief
Second Assistant Fire Chief

Permission may be obtained from the appropriate officials by telephoning any of the above-named officers any day between 7:00 A.M. and 7:00 P.M.

SECTION 3. The Mayor of the Borough of Wind Gap, by Resolution, or the fire chief of the Wind Gap Fire Company, may from time to time declare a moratorium on all open burning within the Borough. Said moratorium may be declared when it is determined that such a prohibition shall be necessary for the elimination of fire hazards, explosive conditions or excessive air pollution which may result from an air inversion condition.

SECTION 4. Any person who shall violate or fail to conform to any of the provisions of this Ordinance shall be guilty of a summary offense,

and, upon conviction thereof, shall be sentenced to pay a fine of \$50.00 for First Offense; \$100.00 for Second Offense and \$300.00 for Third Offense and in default of payment of such fine and costs, shall be imprisoned for not more than ninety (90) days. For purposes of this Ordinance, any one causing damage to another person's property or damage to woodlands from an unattended fire shall be fined \$300.00.

SECTION 5. Any prior Ordinances of the Borough of Wind Gap which are not entirely consistent herewith are declared to be null and void, and the same are hereby repealed. Ordinance No. 346 is hereby amended in its entirety.

ADOPTED AND ENACTED into an Ordinance this 7th day of August, 1989.

ATTEST:

Roxanne Powell, Secretary
Roxanne Powell, Secretary

Kenneth George, President
Kenneth George, President

Approved this 7th day of August, 1989.

ATTEST:

Roxanne Powell, Secretary
Roxanne Powell, Secretary

Thomas Bavaria, Mayor
Thomas Bavaria, Mayor