

**ORDINANCE NO 08- 1**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MANOR TOWNSHIP, ARMSTRONG COUNTY, PENNSYLVANIA REGULATING OUTDOOR BURNING WITHIN THE TOWNSHIP; PROHIBITING THE BURNING OF CERTAIN MATERIALS; CONTAINING CERTAIN MISCELLANEOUS PROVISIONS AUTHORIZING THE BOARD OF SUPERVISORS TO DECLARE A FIRE BAN EMERGENCY; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE; CONTAINING REPEALER PROVISIONS; CONTAINING A SAVINGS CLAUSE; AND SETTING THE EFFECTIVE DATE OF THE ORDINANCE.**

WHEREAS, the Board of Supervisors for Manor Township finds the need to establish certain regulations concerning outdoor burning within the Township; and

WHEREAS, the Board of Supervisors finds the following to be in the best interest of the health, safety and welfare of the residents of Manor Township;

NOW, THEREFORE, be it Enacted and Ordained by the Board of Supervisors of Manor Township and it is Enacted and Ordained under authority of the same as follows.

Section 1. Outdoor Burning of Certain Materials Prohibited

No person, corporation, firm, association or partnership shall burn, cause to burn or allow to burn any putrescible animal or putrescible vegetable matter, furniture, shingles or construction materials of any kind, tin cans, glass, rubber, plastics, recyclable items, aerosol cans or any substance determined by the Commonwealth of Pennsylvania or any agency of the United States government to be a "hazardous substance". Fires shall be used only to burn readily combustible items.

Section 2. Miscellaneous Provisions

- A. Burning will be permitted from dawn to dusk with no burning on Sundays.
- B. All fires shall be attended at all times by a responsible adult having a readily available means of extinguishing the fire.
- C. All fires must be thoroughly extinguished with no smoldering. The smoke cannot be harmful or annoying to neighbors.

D. No burning shall be allowed during a Fire Ban Emergency as proclaimed by the Armstrong County Emergency Management or Manor Township Board of Supervisors.

E. Burning shall be done only by the owner or occupant of the parcel of land to which the burn barrel or other Township approved burning device is situated. Under no circumstance shall nonresidents of Manor Township be permitted to burn materials of any kind within Manor Township.

#### EXCEPTIONS

- A. Small fires shall be permitted for outdoor cooking.
- B. Farm land will be permitted to continue their daily operation.
- C. Bon fire only if approved by Manor Township Board of Supervisors.

#### Section 3. Fire Ban Emergency

The Manor Township Board of Supervisors may declare a fire ban emergency in Manor Township with or without consultation with the fire chief of the volunteer fire company operating within the Township, during a period of drought or periods of high fire risk to woodlands or property in Manor Township.

Upon the declaration of fire ban emergency, all outdoor burning or fire shall be prohibited until such ban is lifted by the Board of Supervisors.

Manor Township shall publish a notice of fire ban emergency at least once in a local newspaper of general circulation. In addition, Manor Township may issue news releases to the communication media.

#### Section 4. Penalties

Any person, corporation, firm, partnership or association that violates any of the provisions of this ordinance shall, upon conviction, be sentenced to pay a fine ranging from \$50 up to \$500, plus costs of prosecution, and in default of payment, imprisonment for a term not to exceed ninety (90) days. Each day that a violation of any of the provisions of this ordinance continues shall constitute a separate violation.

#### Section 5. Repealer

All ordinances or parts of ordinances which are inconsistent with this Ordinance are repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 6. Savings Clause

If any sentence, clause part or section of this Ordinance is found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalid sentence, clause, part or section shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared the intent of the Board of Supervisors to have enacted this Ordinance if such unconstitutional, illegal or invalid sentence, clause, part or sections have not been included therein.

Section 7. Effective Date

This ordinance shall become effective on the 3rd day of Sept., 2008.

ATTEST:

Howard R Jack

Secretary

MANOR TOWNSHIP

BY:

Ludwig J Miller  
LUDWIG JACK MILLER

BY:

Howard R Jack  
HOWARD R. JACK

BY:

James A McGinnis  
JAMES A. MCGINNIS