

**This is a summary for allowable outdoor fires, actual ordinance should be referenced in entirety.**

Ordinance No. 332, as codified at Chapter 105, establishing regulations regarding bonfires and outdoor fires within the Borough is hereby amended to allow for open fires with certain restrictions and providing penalties for violation, as follows:

a. Section 3, as codified at §105-3 is hereby amended in its entirety so as to read as follows:

**§105-3. Permitted Fires**

Anything to the contrary hereinbefore contained notwithstanding, it shall be lawful for a person to set or maintain a charcoal, gas or wood fire built in and confined to a non-combustible contained with the following restrictions:

A. Permitted Locations for Open Fires: Fire pits, rings, and all other receptacles must be at least 10 feet from nearest home, structure, road, property line, utility, tree or other combustible materials.

○ Exception: While in use, grills, barbeques and fireplaces used strictly for cooking may be no less than 5 feet from house, property lines, etc., (unless otherwise approved by the Fire Marshal).

○ Exception: You may use a patio heater or other specially manufactured above-ground patio fire pit, fire table, chiminea, or similar device on a deck or patio if the device is designed and recommended for use in those locations by the manufacturer. Patio fire receptacles must be at least 5 feet from house while in use (unless otherwise approved by the Fire Marshal).

B. Prohibited Burning Materials (including but not limited to the following): Absolutely no treated wood, fresh cut limbs, leaves, green yard waste, paper, cardboard, plastic, garbage, construction waste, oil/rubber/petroleum-based products, or any other material that cause excessive odor or smoke.

C. Maximum Size of Fire: The burn area within the fire pit or fire ring or other receptacle actually containing the fire is no more than 9 square feet (3' x 3') in area, and a minimum of 18" deep (from bottom of hole/pit/device to top of hole/pit/device or to the top of any surrounding stones/ring, etc., with flames maintained no higher than 2 feet above the hole, pit, ring or other receptacle.

D. No Excessive Smoke, Odors or Emissions: Smoke and odors shall be considered excessive if they contribute more than a negligible amount of air contaminants perceptible beyond your property line.

E. Constant Adult Supervision: Adult supervision is required at all times until fire has been completely extinguished. Property owner is presumed to be responsible for assuring that all burning on their property complies with the ordinance and should also keep a water hose or fire extinguisher nearby.

F. Police, Fire Marshal, or Code Officer are Authorized to Order Fires to be Extinguished: The Police Officer, Fire Marshal, or Code Officer may order immediate

extinguishment of any unauthorized or excessive fires or when wind or other weather conditions so warrant.

b. Section 5 is hereby amended in its entirety to increase the penalty for violation to \$100.00 (One Hundred Dollars) and allowing attachment of unpaid penalties as liens against real property so as to read as follows: