

ORDINANCE NO. 641

AN ORDINANCE OF THE BOROUGH OF SLATINGTON, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, MODIFYING SECTIONS 87-5 AND 87-6 OF THE CODIFIED ORDINANCES OF THE BOROUGH TO SPECIFY THE TYPES OF FIRES PERMITTED UNDER THE FIRE PREVENTION ORDINANCE.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Borough of Slatington, Lehigh County, Pennsylvania, as follows:

Section 1. Section 87-5 of the Codified Ordinances of the Borough is hereby revised to read as follows:

87.5 Prohibited acts.

- A. It shall be unlawful for any person within the Borough of Slatington to ignite, burn, cause to be ignited or burned or permit to be ignited or burned any building, structure, refuse, leaves, lawn trimmings, garden wastes, garbage, rubber, plastics, furniture, metals, building materials or anything that will create obnoxious odors or fumes.
- B. It shall be unlawful for any person within the Borough of Slatington to ignite or burn any matter and thereafter leave said fire unattended or fail to take responsibility for and be capable of preventing the spread of said fire or eliminate potential hazardous conditions in the vicinity" of the fire.
- C. Except for fires occurring in a- commercially available receptacle designed for such designated purpose, such as Firepit, Chiminea, or Grill, no fire shall be allowed whenever drought or extreme weather conditions exist or when a ban on burning has been put into effect by the Commonwealth of Pennsylvania or Borough. Notices of such restriction or weather conditions shall be given by notice in a newspaper or by posting a notice at the Borough office or at the fire companies.
- D. No fire shall violate the provisions of any federal or state law or regulation.
- E. The person attending the fire and responsible for controlling the fire must be eighteen (18) years of age or older.

Section 2. Section 87-6 of the Codified Ordinances of the Borough is hereby revised to read as follows:

87.6 Exceptions

The following types of fires shall be permitted as exceptions to 87.5.

- A. Fires used for cooking purposes only and built in a fireplace, grill or barbecue pit are permitted.
- B. Fireplaces located within buildings are permitted for the purpose of providing heat or for use as a barbecue.
- C. Special activities are permitted, such as school pep rally bonfires with advance approval, in writing, from the Slatington Fire Chief. By contrast, campfires conducted by any bona fide scouting organization are permitted provided twenty four (24) hours advance notification is given to the Slatington Fire Chief.
- D. Fire Department training exercises approved by the Fire Chief are permitted.
- E. Burning by the Borough of Slatington is permitted, with notification of the Slatington Fire Chief.
- F. Burning is permitted by individuals when approved, in writing, by the Fire Chief for special situations such as reducing undergrowth in woodlands.¹
- G. Burning is permitted in a commercially available receptacle designed for such designated purpose, such as Firepit, Chimenea, or Grill. Except as allowed by section 87-6.C, burning in an open barrel, on open ground, and/or in a hole dug into the ground is not permitted without the express written authorization of the Slatington Fire Chief. Additional restrictions on any commercially available receptacle designed to contain burning matter are as follows:
 - i. Must be placed more than twenty (20) feet from a structure when ignited.
 - ii. Must be placed more than twenty (20) feet from every sidewalk and/or street or alley right of way, whichever is furthest from the centerline of the said street or alley.
 - iii. Height of the bottom of the receptacle must be more than twenty-four (24) inches above any combustible item.
 - iv. All adjuncts that are supplied by the manufacturer must be used while material is ignited, such as fire screen, lid, etc.

Section 3. All other ordinances resolutions, or parts thereof, which are inconsistent with this Ordinance are hereby repealed.

Section 4. The provisions of this Ordinance are severable and if any provisions hereof are declared illegal or invalid on constitutional or statutory grounds by any court of competent jurisdiction, then those provisions not specifically declared illegal or invalid remain in full force and effect.

¹ Editor's Note: Former Section 1103.03, regarding explosives, which immediately following this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).