

ORDINANCE NO. 157

AN ORDINANCE OF THE BOROUGH OF CENTRE HALL, CENTRE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 7, PART 1, SECTION 103 OF THE CENTRE HALL BOROUGH CODE OF ORDINANCES BY ALLOWING RECREATIONAL FIRES THAT ARE FULLY CONTAINED WITHIN A SCREENED CHIMINEA OR AN ABOVE GROUND FIRE PIT WITH SCREENS; ESTABLISHING RESTRICTIONS FOR SUCH FIRES AND ESTABLISHING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED by authority of the Borough of Centre Hall, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION ONE:

Chapter 7, Part 1, Section 103 "Exceptions" of the Centre Hall Borough Code of Ordinances is hereby amended to add a new exception No. 4 to read as follows:

4. Recreational fires may be set provided they are fully contained within a screened chiminea or an above ground fire pit with screens subject to the following restrictions:

a. Only clean seasoned firewood or charcoal may be burned. No burning of trash, leaves, brush, pressure treated wood or painted wood is permitted.

b. All openings in the container or fire pit must be covered with wire mesh or other non-combustible screening materials that will prevent the passage of sparks or embers.

c. Fires must be kept in the rear yard at least (15) feet from any structure, property line, or combustible exterior wall.

d. All fires shall be constantly attended by at least one (1) adult person

until they are completely extinguished. A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, water bucket or garden hose shall be available for immediate utilization.

e. No such fire or container used for open burning may be used on any porch, deck, balcony or other portion of a building.

f. Fires are not permitted during adverse wind and weather conditions.

g. Fires shall not be permitted to smolder.

h. All open fires as set forth herein shall be extinguished no later than 12:00 A.M. (midnight).

i. Any fire permitted to burn in an unsafe manner under adverse weather conditions, unsupervised, determined unsafe by the Code Enforcement Officer(s), or in violation of any provision of this Ordinance, shall be extinguished immediately upon demand by such official.

j. No provision of this Section shall be interpreted to prohibit burning of appropriate fuels in residential fireplaces, barbeques, grills, or small recreational fires that are fully contained within a screened chiminea or an above ground fire pit with screens.

SECTION TWO: Enforcement.

A. Penalties. Any person who shall violate any provision of this ordinance shall, upon conviction thereof before the District Magisterial Judge, be sentenced to pay a fine of not more than six hundred dollars (\$600.00), and

in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

B. Remedies. No penalty herein shall prevent the Borough from enforcing this Ordinance by equitable, injunctive or any other remedies.

C. Liability. The Centre Hall Borough and its agents, officials, and representatives shall not, under any circumstances be liable or responsible for damages caused to any person or property by reason of the provisions of this Ordinance, or by reason of the conduct of burning activity in compliance or non-compliance with the terms and provisions of this Ordinance. The person or party responsible for any such fire shall be solely responsible for any and all damages caused as a result thereof.

SECTION THREE: Repealer.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION FOUR: Severability.

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough of Centre Hall that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section

or part thereof not been included herein.

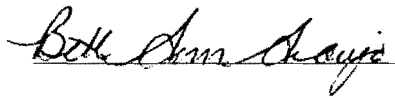
SECTION FIVE: Effective Date.

This ordinance shall become effective upon the date of its enactment.

Enacted and ordained as an Ordinance of the Borough of Centre Hall,
Centre County, Pennsylvania, this 14th day of July, 2011.

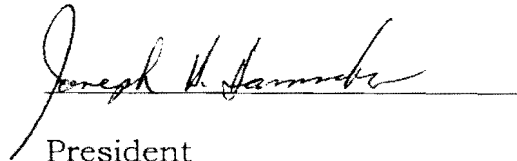
ATTEST:

BOROUGH OF CENTRE HALL



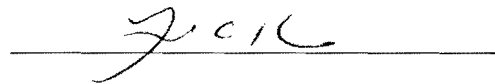
Secretary

BY:



President

Approved by the Mayor of the Borough of Centre Hall, this
14th day of July, 2011.



Mayor