

TOWNSHIP OF SILVER SPRING
Cumberland County, Pennsylvania

ORDINANCE NO. 3 of 2007

AN ORDINANCE OF THE TOWNSHIP OF SILVER SPRING,
CUMBERLAND COUNTY, PENNSYLVANIA
REGULATING AND LIMITING OUTDOOR FIRES AND
BURNING WITHIN SILVER SPRING TOWNSHIP AND
PRESCRIBING PENALTIES FOR VIOLATION THEREOF

BE IT ORDAINED by the Board of Supervisors of the Township of Silver Spring,
Cumberland County, Pennsylvania, as follows:

SECTION 1: DEFINITIONS – The following words shall have the particular meaning assigned by this Section in the appropriate sections of this Ordinance.

FIREPLACE – An object or structure made of non-combustible material designed and used for burning firewood and which contains fire box and chimney.

FIRE RING – A container or structure made of non-combustible material, which is designed and used for burning firewood.

FIREWOOD – The hard fibrous substance from trees which is used as fuel.

SECTION 1: It shall be and is hereby declared to be unlawful for any person, firm, partnership or corporation to burn any substance or maintain and fire upon any of the public streets, roads, highways, alleys, sidewalks, parks or other public grounds within and under the jurisdiction of the Township of Silver Spring, unless specifically authorized in advance of such burning by specific authority of the Board of Supervisors.

SECTION 2: It shall be and is hereby declared to be unlawful for any person or entity to burn or permit to be burned any substances or maintain or permit to be maintained any fire out-of-doors on any tract of land within the Township of Silver Spring, except for the following:

- a. Outdoor fires using only dry seasoned firewood, gas or charcoal to cook food for human consumption provided the fire is confined to a fire ring, fireplace, charcoal or gas grill or other similar fireproof container;
- b. Only one (1) fire ring, not more than thirty-six (36) inches in diameter, is permitted on any tract of land and must be located a minimum of twenty-five (25) lineal feet from any boundary line of the tract of land on which it is located.
- c. Fires used exclusively for agricultural purposes on properties containing a minimum of ten (10) acres, provided that any such burning occurs at a distance of not less than one hundred (100) lineal feet from the nearest point of any building and not less than one hundred (100) lineal feet from any boundary line of the tract of land on which said burning occurs; and
- d. Bonfires, upon the issuance of a permit from the Emergency Management Coordinator, provided that:
 - i. The fuel for the bonfire shall not be more than five (5) feet long by five (5) feet wide by five (5) feet high in dimension and shall not burn longer than three (3) hours. The size and duration of a bonfire shall only be increased with the approval of the Emergency Management Coordinator;
 - ii. A portable fire extinguisher or small hoseline must be kept available and ready for service;
 - iii. Fuel for a bonfire shall consist only of seasoned, dry firewood and shall be ignited with a small quantity of paper; and
 - iv. Any such bonfire must occur at a distance of not less than one hundred (100) lineal feet from the nearest point of any building and not less than

one hundred (100) lineal feet from any boundary line of the tract of land on which said bonfire occurs.

SECTION 3: Additional restrictions may be placed on fires by the Emergency Management Coordinator if it is determined that the situation is likely to constitute an unreasonable threat to people or property. During periods of low humidity, drought, high wind or other adverse weather conditions, the official may restrict burning to prevent the spread of fire. The Emergency Management Coordinator shall have the authority to order the extinguishment of any fire in violation of this Ordinance or which an unreasonable threat to people or property.

SECTION 4: Any person or entity who shall violate the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before a district justice, be sentenced to pay a fine of not exceeding one thousand dollars (\$1,000.00), plus costs of prosecution, and in default of payment of such fine and costs, shall be imprisoned for not more than thirty (30) days in Cumberland County Prison.

SECTION 5: The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the validity of any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted and enacted as if such unconstitutional, illegal or invalid provision had not been included therein.

SECTION 6: Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7: This Ordinance shall become effective 5 days from the date of enactment.

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 3 of 2007 this
25th day of April, 2007 by the Board of Supervisors of the Township of Silver
Spring.

ATTEST:

BOARD OF SUPERVISORS
TOWNSHIP OF SILVER SPRING

Sue Ellen Adams
Township Secretary

Jim W. LeBlanc
Chairman