

*Amended  
by  
Ord # 89*

ORDINANCE NO. 52

AN ORDINANCE REGULATING THE KINDLING OR MAINTAINING OF OUTDOOR FIRES WITHIN THE LIMITS OF RUSH TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania.

SECTION 1. No person, firm or corporation shall kindle or maintain any outdoor fire or authorize or permit any such fire to be kindled or maintained on any street, sidewalk, alley or public ground in Rush Township.

SECTION 2. No person, firm or corporation shall kindle or maintain an open outdoor fire or authorize or permit any such fire to be kindled or maintained on private property within Rush Township without first obtaining a burning permit from the zoning officer or secretary and signed by the zoning officer or secretary and by the fire chief or assistant fire chief of the fire company closest to the proposed burning site and comply with the following conditions:

- (a) Such fires shall be attended by a responsible person until extinguished.
- (b) Such fires shall be extinguished at or before sunset.
- (c) Such fires shall not be kindled or maintained within fifteen (15') feet of any building, structure, property line or combustible material.

SECTION 3. Any person, firm, or corporation kindling or maintaining any contained outdoor fire or authorizing or permitting

SECTION 6. Should any part of this Ordinance be held invalid, by a Court of competent jurisdiction, the remaining sections shall be severable and shall continue to be in full force and effect.

SECTION 7. All ordinances inconsistent herewith are hereby repealed.

SECTION 8. This Ordinance shall take effect and be in force five (5) days after adoption.

ORDAINED AND ENACTED this 4<sup>th</sup> day of August, 1978.

Board of Supervisors of the Township  
of Rush, Schuylkill County, Pennsylvania

Charter Burnell Chairman

Kenneth C. Koffler

Joseph J. Smith

Attest:

Carol Ann Opet  
Secretary

any such fire to be kindled or maintained on private property within Rush Township shall comply with the following conditions:

(a) Such fires shall be kindled within and confined to a non-combustible container covered with a screen of suitable mesh or other non-combustible cover.

(b) Such fires shall only be fed by paper or paper products and shall be attended by a responsible person until extinguished.

(c) Such fires shall be permitted only between the hours of 2 P.M. and 9 P.M. and shall not be allowed to smolder for more than 15 minutes after the flames have ceased.

(d) Such fires shall not be kindled or maintained closer than 15 feet from any building, structure, property line or combustible material.

SECTION 4. The provisions of this Ordinance shall not apply to a small, well controlled fire in an outdoor fireplace or container for outdoor cooking, barbecues and the like, provided said fire is attended by a responsible person until extinguished.

SECTION 5. Any person, firm or corporation violating the provisions of this Ordinance shall be guilty of a summary offense and upon conviction thereof before any District Magistrate shall be sentenced to pay a fine of not less than \$10.00 and not more than \$100.00 plus the cost of prosecution and in default of payment thereof shall undergo imprisonment in the County prison for a period of not more than ten (10) days.