

SALEM TOWNSHIP  
ORDINANCE NO. 2 OF 2016

AN ORDINANCE OF SALEM TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA,  
REGULATING AND RESTRICTING OUTDOOR FIRES AND OPEN BURNING, AND  
REPEALING ORDINANCE NO. 3 OF 2010 AND ANY OTHER ORDINANCES  
INCONSISTENT HEREWITH.

BE IT RESOLVED AND ENACTED by Salem Township, Luzerne County,  
Pennsylvania and it is hereby ordained and enacted by the authority of same follows:

**Section 1. Title.** This Ordinance shall be known and may be cited as the Salem Township Opening Burning Ordinance.

**Section 2. Authority.** This Ordinance is enacted pursuant to Section 12 of the Air Pollution Control Act and Article XVI of the Second Class Township Code.

**Section 3. Declaration of Policy.** It is hereby declared to be the policy of Salem Township as a matter of public health and safety to regulate fires and opening burning in Salem Township for the purposes of controlling air pollution and protecting buildings, housing, property and the well-being of its citizens.

**Section 4. Definitions.** The following words, terms and phrases, when used in this Ordinance, unless the context clearly states otherwise, shall have the following meanings described to them:

- (A) **OPENING BURNING OR OPEN FIRE:** Any fire which is burned outside of an enclosed structure or building.
- (B) **CONTAINED FIRE:** Any fire contained in an incinerator, fireplace or cooking grill or other contained enclosure designed for outdoor cooking, or fireproof container.
- (C) **PERSON:** Any individual, partnership, organization, association, agency, firm, estate company, trust, corporation, department, bureau of other legal or commercial entity.
- (D) **RESPONSIBLE ADULT:** An individual eighteen (18) years or older who is not under the influence of drugs or alcohol or suffering from any other disability which would impair his or her ability to properly supervise a fire.

- (B) No fire shall be permitted to burn whenever drought or extreme weather conditions exist or when a ban on burning has been placed into effect by the Commonwealth of Pennsylvania, Luzerne County, or Salem Township. The Board of Supervisors may prohibit any and all outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.
- (C) No fire shall be set that results in uncontrolled burning of vegetation (field fire).
- (D) Out-of-doors fires shall be confined in a non-combustible container, except for fires of leaves, brush and/or natural, untreated wood which need not be confined to or covered by a non-combustible container.

**Section 8. Hours.**

- (A) No person shall burn or cause to be burned any paper, boxes, rubbish, leaves or any other kind of substance, nor shall any persons set or maintain any contained or uncontained fire, or burn or cause to be burned an uncontained fire of any substance or material of any kind, out of doors, anywhere in the Township between the hours of 7:00 p.m. and 6:00 a.m.
- (B) Fires shall be completely extinguished by 7:00 p.m. and shall not be permitted to smolder past same time.

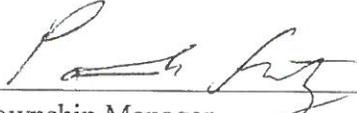
**Section 9. Oven Fires Exempted.** The following types of fires, [provided that such fires are wood and wood products only, are exempted from the regulations set forth in this Ordinance:

- (A) Fires solely for the cooking of food for immediate consumption.
- (B) Camp fires for warmth, fellowship, food preparation or ceremonial purposes by bonafide groups or individuals such as hunting camps or public organizations (i.e. Girl Scouts and Boy Scouts).
- (C) Recreational fires using natural, untreated wood and containing a fuel source of no more than eight (8) cubic feet are exempt from the time restraints of Section 8, but must be extinguished by 12:00 A.M. Additionally, all recreational fires shall comply with all other provisions of this Ordinance.

ORDAINED AND ENACTING into an Ordinance at a regular meeting of the Board of Supervisors of Salem Township, Luzerne County, Pennsylvania, this 13<sup>th</sup> date of September, 2016.

Attest:

Salem Township Board of Supervisors

  
\_\_\_\_\_  
Township Manager

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Vice-Chairman

SEAL

  
\_\_\_\_\_  
Supervisor