

BOROUGH OF KOPPEL
BEAVER COUNTY, PENNSYLVANIA
ORDINANCE NO. 409

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF KOPPEL, BEAVER COUNTY, PENNSYLVANIA, PROVIDING FOR THE PREVENTION AND CONTROL OF AIR POLLUTION, PROHIBITING THE BURNING OF CERTAIN ITEMS THEREIN AND PROVIDING FOR THE ENFORCEMENT OF THE SAME, INCLUDING PENALTIES.

BE IT ENACTED AND ORDAINED, by the Borough of Koppel, by and through the Council of said Borough of Koppel, Beaver County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

I. PURPOSE

The purpose of this Ordinance is to protect the public health, safety and welfare from the hazards and dangers involved in the processing, storage and burning of tangible property within the Borough.

II. REVOCATION

This Ordinance does hereby revoke any and all prior ordinances, or portions of any ordinance, that regulates and controls any outdoor burning within the Borough, including but not limited to Ordinance No. 373.

III. DEFINITIONS:

PERSON - Any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, federal government or agency, state institution or agency, or any other legal entity whatsoever which is recognized by law as a subject of rights and duties.

GARBAGE - All putrescible animal and/or vegetable matter, whether in a natural state or a state resulting from the preparation, handling, cooking and consumption as food.

RUBBISH - Solids not considered to be highly flammable or explosive, including but not limited to rags, old clothes, wood, paper, ashes, and other similar material.

IV. OUTSIDE BURNING BY COMMERCIAL BUSINESSES

All outside burning by any commercial business is prohibited; this prohibition shall not apply to any incinerator or furnace built within or constructed within a building, provided that the chimney of that incinerator or furnace extends beyond the roof level ten (10) feet higher than the highest adjoining building on any adjacent premises and provided further, that the chimney has a wire screen or other top so constructed as to prevent ash from escaping.

V. BURNING RUBBISH

It shall be unlawful for any person to burn any waste paper or rubbish at any other time except as herein provided. Said burning shall be limited to the hours from 6:00 a.m., prevailing time, to 7:00 p.m., prevailing time, on Tuesday through Saturday, inclusive. Notwithstanding the same, burning shall be prohibited on any such day if the same is a legal holiday. All such open fires must be extinguished by 7:00 p.m., prevailing time.

VI. USE OF BURNING RECEPTACLES REQUIRED

It shall be unlawful for any person to burn any waste paper or rubbish unless the same is first placed in a receptacle designed to confine and keep said material from blowing away and escaping out of control before burning the same. Any and all burning permitted under this ordinance must be attended. Burning receptacles shall not have a burning area larger than nine (9) square feet and shall not be higher than four (4) feet. Receptacles shall be limited to one (1) per residential structure regardless of how many residential units are contained within the same. Persons engaging in burning shall have a readily available means to extinguish the fire, including but not necessarily limited to a fire extinguisher or water hose.

VII. LOCATION OF BURNING RECEPTACLES

Burning receptacles may be located anywhere on an individual parcel; however, the Borough maintains the right, through the Mayor, Fire Chief or any Borough policeman, to direct the relocation of any such burning receptacle if it presents a safety/fire hazard to any buildings or adjacent property.

VIII. PROHIBITION OF BURNING GARBAGE AND OTHER ITEMS

No garbage shall be burned at any time. In addition thereto no animal or vegetable waste, leather, linoleum scraps, rubber scraps or rubber waste, plastics (including but not limited to diapers), tar products or any other materials that may cause noxious fumes and odors shall be burned within the Borough at any time. Further, there shall be no burning of any brush, leaves, grass clippings or any other type of yard waste.

IX. EMERGENCY CONDITIONS

In the event that a fire hazard condition or emergency exists by reason of a dry season or

otherwise, or in the event that the air pollution level reaches a critical stage, the Mayor, Fire Chief or such other duly appointed representative may, by Proclamation, prohibit all further burning of any kind for the duration of said emergency. Such Proclamation shall be publicly announced through the regular news media within the Borough, and no person thereafter shall, during the continuance of that emergency, kindle or maintain any burning or fire whatsoever. The determination of a fire hazard condition or emergency, or of the critical stage of an air pollution level, shall be made by the Mayor or his duly appointed representative within his discretion.

X. PERMITTED FIRES BY BOROUGH OFFICIALS

Open fires may be set in the performance of official duties by any police officer or fireman of the Borough of Koppel if such fire is necessary for the prevention of a fire hazard which cannot be abated by any other means or for the protection of the public health, or for an official fire department practice session.

XI. PERMITTED OUTDOOR BURNING


Nothing herein shall be construed as to limit or otherwise prohibit outdoor burning such as charcoal, propane grill or electrical grill fires kindled for the purpose of outside barbecues or the operation of a manufactured recreational burning item or camping item, including but not limited to lawn torches and chimineas.

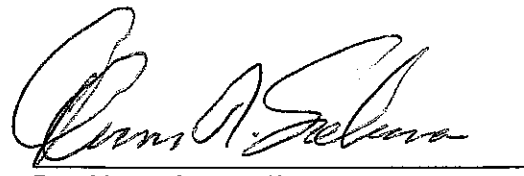
XII. PENALTY

Any person found violating this Ordinance, upon conviction, shall be sentenced to pay a fine of not less than \$25.00 and not more than \$1,000.00, plus costs, including but not limited to the equipment and labor costs of terminating any illegal fire, and in default of payment of said fine and costs be sentenced to a term of imprisonment not to exceed thirty (30) days. Each date that a violation of this Ordinance continues shall constitute a separate offense.


APPROVED THIS 20th DAY OF August 2024, BY A MAJORITY VOTE
OF THE MEMBERS OF KOPPEL BOROUGH COUNCIL.

ATTEST:


Secretary


President of Council

APPROVED THIS 20th DAY OF August 2024.



Mayor