

PART 1
OUTDOOR BURNING

§101. Definitions.

As used in this Part, the following terms shall have the meanings indicated unless a different meaning clearly appears from the context:

BOROUGH — the Borough of Elizabethtown, Lancaster County, Pennsylvania.

OPEN FIRE — a fire outside of any building in which any material is burned in the open or in a receptacle other than in a grill used for the purposes of outside barbecues.

OUTSIDE BARBECUES — any fire maintained in a commercially constructed grill or masonry constructed grill for the purposes of heating, cooking and preparing food for the purpose of consumption.

PERSON — any individual, partnership, association, corporation, department, bureau, agency or other legal entity.

(Ord. 819, 11/16/2000, §1)

§102. Regulations.

Within the Borough limits, no person shall:

- A. Ignite, feed, cause, allow, permit or maintain on any property any open fire outside of any building for any purpose other than that specifically allowed herein.

(Ord. 819, 11/16/2000, §2)

§103. Exceptions.

The activities prohibited in this Part are subject to the following exceptions:

- A. Open fires may be set in the performance of an official duty of any public officer if the fire is necessary for:
 - (1) The prevention of a fire hazard which cannot be abated by other means.
 - (2) The protection of public health.

FIRE PREVENTION AND FIRE PROTECTION

- B. Open fires shall be permitted at any time when the same is conducted during an official act or exercise preapproved by the duly designated Borough enforcement officer by a volunteer fire department or a paid fire department recognized by the Commonwealth of Pennsylvania.
- C. Open fires may be set with written approval of the enforcement officer of the Borough provided:
 - (1) No hazardous or other objection able condition will be created by such burning.
 - (2) No such burning is allowed on any street or sidewalk within the Borough.
 - (3) Said open fire is related to a public function including, but not limited to, fire works or a bonfire in support of a local organization.
- D. It shall be lawful at any time to burn charcoal or wood fires kindled for the purpose of outside barbecues, providing the fire is confined to the barbecue structure as defined in this Part, and is used solely for the heating, cooking and preparing of food.

(Ord. 819, 11/16/2000, §3)

§104. Authority to Extinguish.

Authority is hereby granted to the Elizabethtown Volunteer Fire Company to extinguish any fire within the Borough of Elizabethtown when the Fire Chief of said Company deems that conditions warrant such action.

(Ord. 819, 11/16/2000, §4)

§105. Prohibited Burning.

All other burning is strictly prohibited.

(Ord. 819, 11/16/2000, §5)

§106. Appeals.

Upon the denial of written approval as described in §103(B) or (C), an appeal may be taken to the Borough Council at a regularly scheduled meeting and such denial may be reversed upon a majority vote of the Borough Council. Borough Council reserves the