

# **REFUSE BURNING ORDINANCE FOR BOROUGH OF HARMONY**

**ORDINANCE No. 397**

This ordinance of Harmony Borough is intended to promote the health, safety and welfare, and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of Harmony Borough to prohibit the burning of recyclable and compostable materials, which will reduce the air pollution and fire hazards, as well as promote recycling and composting.

## **SECTION 1: APPLICABILITY**

1.0. This ordinance applies to all outdoor burning and general burning of recyclables and compostable materials within the Borough of Harmony

1.1. This ordinance does not apply to grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances or recreational burning.

1.2. This ordinance does not apply to burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse as defined in Section 4 of this ordinance.

1.3. This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

## **SECTION 2: SEVERABILITY**

2.0. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

## **SECTION 3: DEFINITIONS**

3.0. Definitions

3.1. *Recyclables* – Materials designated as recyclable in the ordinances of Harmony Borough, or required by terms of this ordinance, any amendment hereto, or designated by resolution of the Borough to be kept separate from municipal waste and recycled.

3.2 *Leaf Waste* – As defined in Act 101, as adopted and amended, includes leaves, garden residue, shrubbery and tree trimmings and similar material, but not grass clippings.

## **SECTION 4: MATERIALS THAT MAY NOT BE BURNED**

4.0. Materials that may not be burned



- 4.1. Any plastic material including, but not limited to, nylon PVC, ABS, polystyrene or urethane foam and synthetic fabrics, plastic films and plastic containers.
- 4.2. Rubber, including tires and synthetic rubber-like products.
- 4.3. Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the recycling ordinance of Harmony Borough.
- 4.4. All leaf waste as defined in this ordinance.
- 4.5. Grass clippings.

#### **SECTION 5: OPEN BURNING OF LEAVES, BRUSH, CLEAN WOOD AND OTHER VEGETATIVE DEBRIS.**

- 5.0. Open burning of leaves, weeds, brush, stumps, clean wood, trees and other vegetative debris is prohibited.

#### **SECTION 6: ENFORCEMENT**

- 6.0. Enforcement
- 6.1. Any person violating any of the provisions of this ordinance shall, upon conviction by a district magistrate, be subject to a fine of not less than \$25.00 nor more than \$250.00, together with the cost of prosecution. Every violator of the provisions of this ordinance shall be deemed guilty of a separate offense each and every day the violation continues, and shall be subject to the penalty imposed by this Section for each and every separate offense.


#### **SECTION 7: EFFECTIVE DATE**

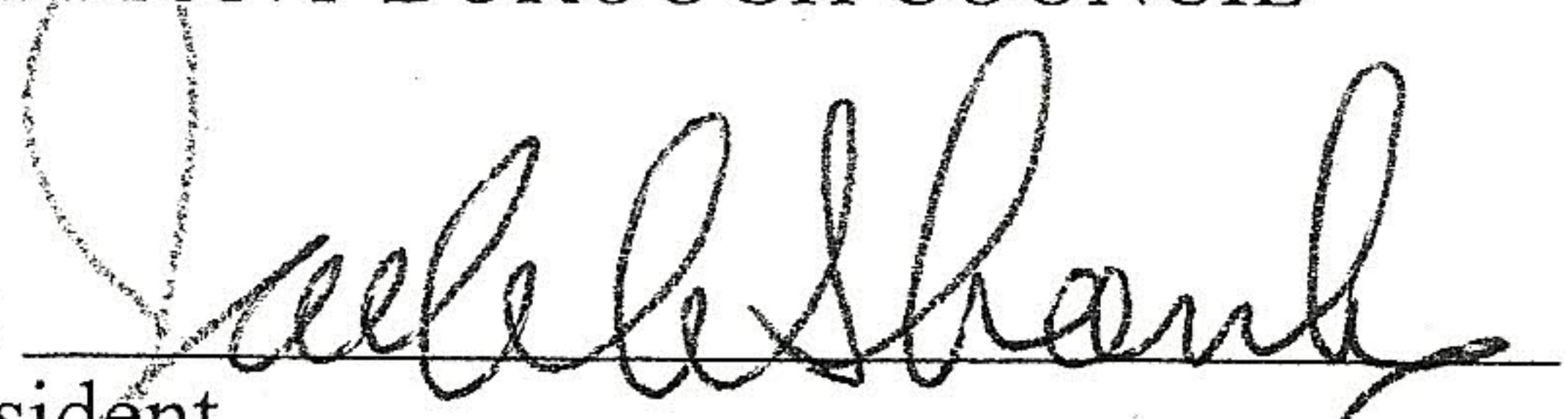
- 7.0. This ordinance shall take effect on May 1, 2013 and shall be in force from and after its approval as required by law.

ORDAINED AND ENACTED into law this 2nd day of October, 2012.

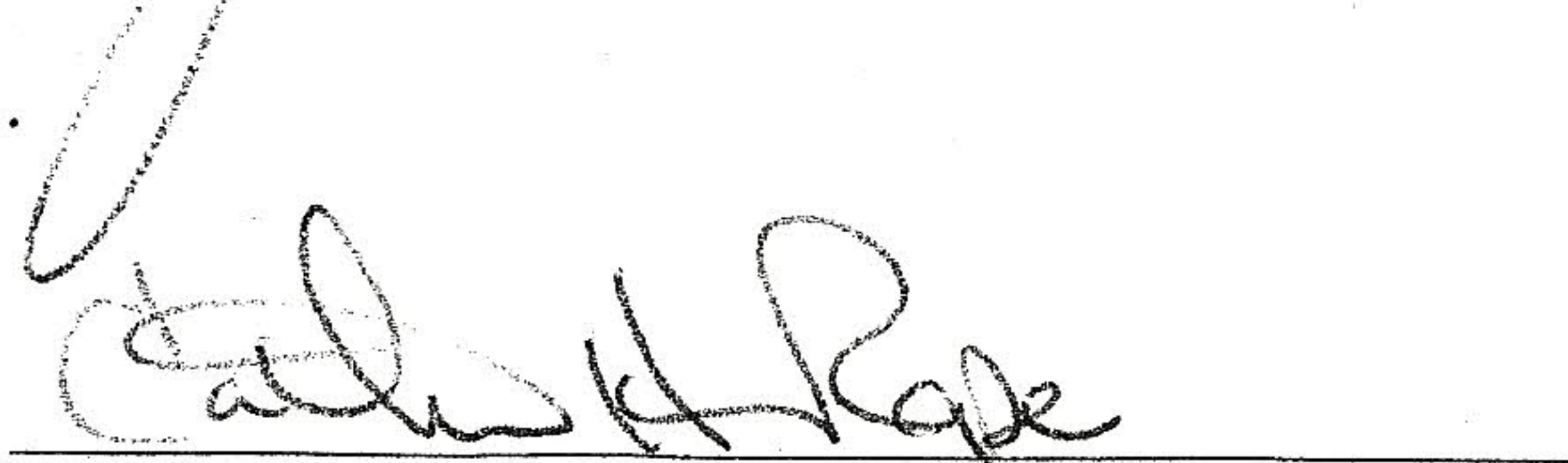
ATTEST:

HARMONY BOROUGH COUNCIL

  
Secretary

By:   
President

Approved by me this 2nd day of October, 2012.

  
Mayor