

# Outdoor Burning Ordinance

## Chapter 111, BURNING, OUTDOOR

### § 111-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**BUILDING** The inclusive term for houses, apartment houses, commercial and industrial buildings, garages, sheds and storage buildings of any type of construction, be it wood, metal, stone, brick, cement or cinderblock or any combination thereof.

**BURN or BURNING** Includes not only visible flames but also any visible smoke emanating from the burned materials after the flames have died.

**BURNER** The inclusive term for a metal, brick, stone or cement or cinderblock container in which a fire is ignited.

**FIRE** The inclusive term for fire, fires, flames, the smoke therefrom, the smoldering when the flames have subsided and the smoke when the flames have subsided as long as such smoke is visible.

**GRASS** The inclusive term for grass, hay, straw, weeds and flowers.

**PERSON** Includes an individual or partnership, corporation, association, nonprofit corporation or club, firm, company, organization and state governmental agencies.

**STREETS** The inclusive term for streets, alleys, avenue, highways, courts, lanes and any other public property opened to passage by vehicle or pedestrian traffic.

**TRASH** The inclusive term for solid, liquid or gaseous waste products which are composed wholly or partly of such materials as garbage, sweepings, cleanings, rubbish, trade waste, industrial, commercial and domestic waste, rags, animal feces, plastic or plastic products, petroleum based products, grass clippings, cans, bottles, containers, tires, grease and bound magazines or magazines, the pages of which are held together by a metal staple.

### § 111-2. Prohibited acts.

It shall be unlawful for any person, partnership, company or corporation to burn wood, brush, trash, papers, rubbish, garbage, rubber, tar, plastic, grass, newspapers, paper and paper products out of doors anywhere in the City. This section shall not prohibit the use of an outdoor fire for cooking or for recreation.

### § 111-3. Use of incinerators required.

No person shall burn any wood, brush, trash, papers, rubbish, garbage, rubber, tar, plastic, grass, newspapers, paper and paper products anywhere indoors in the City except in an incinerator complying with all applicable laws and ordinances.

### § 111-4. Exclusions.

A. This chapter shall not be construed to prohibit wood fires in fireplaces, stoves, heaters or furnaces, safely designed, constructed and installed for such purposes and complying with all applicable laws and ordinances.

B. This chapter does not prohibit or apply to outdoor wood fires for recreation, cooking or ceremonial purposes or outdoor gas or electric cooking grills or charcoal burners used for cooking purposes.

### § 111-5. Enforcement.

A. This chapter shall be enforced by the Police Department, the Fire Chief and Deputy Fire Chiefs, the Code Enforcement Officer(s) and the Health Officer(s) of the City of Hazleton.

B. The Code Enforcement Officer shall prepare a citation or violation ticket, listing the offenses committed and the date, time and place thereof, which citation shall be issued to the violators hereof.

### § 111-6. Violations and penalties.

Any person, firm or corporation violating any provision of this chapter shall be subject to a penalty for each offense as shall be set forth in Chapter 1, Article II, Violations and Penalties. A separate offense shall be deemed committed on

each day during which a violation occurs or continues.