

Chapter 7

Fire Prevention and Fire Protection

Part 1 Open Burning

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Part 1**Open Burning****§7-101. Prohibited Acts.**

It shall be unlawful for any person, firm or corporation to kindle or maintain any bonfire or other fire, or to authorize any such fire to be kindled or maintained within the Township of West Cocalico under the following circumstances:

A. When said fire is burning between sunset and sunrise.

B. In the case of open bonfires or open rubbish fires, within 100 feet from any structure of any kind or character whatsoever, whether said location be the original location of the fire or the same has spread to such a location which violates this provision.

C. In all other cases than those provided in paragraph .B when such fire is not confined or contained in a waste burner approved by the National Board of Fire Underwriters or other similar agency for an outdoor fire or a fire the smoke of which shall pass outside the house. However, barrels covered with a ½-inch mesh shall be permitted.

D. When any fire is not kept under the personal supervision of a responsible person of at least 16 years of age or older.

E. When said fire is located sufficiently close to any structure so that such structure might catch fire, taking into account the quantity of the material being burned, the nature of the material being burned, and the velocity of wind on the day in question (this shall not be intended to limit any of the other provisions of this Section). When any person, firm, or corporation desiring to light any fire is in doubt as to the application of the standards set forth in this paragraph, any Fire Chief or Assistant Fire Chief of a fire company in the Township of West Cocalico whose designation in such capacity has been approved by the Township Supervisors shall be contacted, and his decision shall be final.

(*Ord. 25, 7/6/1978, §1*)

§7-102. Limited Exceptions.

Nothing in this Part shall be construed to prevent the burning between sunrise and sunset of normal household rubbish by the occupiers of a residence in the household incinerator or other approved safety device as above defined, or a small, well-controlled fire in an outdoor fireplace or contained for outdoor cooking. In each of said event, the fire shall be kept constantly under personal supervision during the period of incineration.

(*Ord. 25, 7/6/1978, §2*)

§7-103. Combustibles.

It shall be unlawful for any person, firm or corporation to deposit hot ashes, smoldering coals or embers, grease, oily substances, or other material liable to spontaneous combustion within 10 feet of any wall, partition, fence, structure or

combustible material unless contained in a metallic or other non-combustible container which container, unless resting on ground, must be placed on a non-combustible stand and must be located at least 2 feet away from any such wall, partition, fence, structure, or combustible material.

(*Ord. 25, 7/6/1978, §3*)

§7-104. Permission.

It shall be unlawful for any person, firm or corporation to kindle or maintain any bonfire or other fire on premises owned by another for which specific permission has not been given by the owner of the premises.

(*Ord. 25, 7/6/1978, §4*)

§7-105. Remedial Steps.

1. Any person, firm or corporation violating the provisions of this Part shall be notified of the violation by any fire chief or assistant fire chief of any volunteer fire company located in West Cocalico Township whose designation in such capacity has been approved by the Board of Supervisors of West Cocalico Township and shall immediately take such steps, including the extinguishment of the fire, as may be ordered by such official.

2. A bonfire or other fire which is not permitted at the times and under the terms of this Part and all other fires which by virtue of a quantity of the material being burned, the nature of the material being burned, and the weather conditions at the time may constitute a danger to surrounding areas and/or buildings, may be maintained or allowed pursuant to written permission issued by any fire chief or assistant fire chief of any of the volunteer fire companies located in West Cocalico Township.

(*Ord. 25, 7/6/1978, §5; as amended by Ord. 28, 6/5/1980, §1*)

§7-106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part for a second time or who, on first violation, fails to comply immediately with the orders of a fire chief or other official referred to in §7-105 of this Part shall be guilty of a summary offense and, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$10 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 25, 7/6/1978, §6; as amended by Ord. 125B, 9/16/2014*)