



Township of Concord

DELAWARE COUNTY

*COUNCIL: Dominic A. Pileggi, John J. Gillespie, John L. Crossan,
Thomas J. Mahoney, Michael R. Harding, Dana M. Rankin,*

CONCORD TOWNSHIP ORDINANCE NO. 394

AN ORDINANCE OF CONCORD TOWNSHIP AMENDING CHAPTER 112 OF THE CODE OF CONCORD TOWNSHIP AS PREVIOUSLY AMENDED BY ORDINANCE NO. 379 OF 2017, WHICH ADOPTED THE 2015 INTERNATIONAL FIRE CODE WITH MODIFICATIONS, TO PERMIT DAILY BURNING WITHIN THE CONCORD TOWNSHIP AGRICULTURAL SECURITY AREA AND ESTABLISHING RULES FOR BURNING IN THE AGRICULTURAL SECURITY AREA.

WHEREAS, the Concord Township Code and Concord Township Home Rule Charter authorize Concord Township Council to adopt regulations governing open burning, fire protection systems, and other fire regulations for the benefit of the public welfare and fire safety; and

WHEREAS, Concord Township on August 1, 2017, adopted the 2015 International Fire Code with certain modifications by enactment of Ordinance No. 379 of 2017; and

WHEREAS, the Council, in order to promote agriculture in the Township while maintaining fire safety, has determined to permit burning within the Agricultural Security Area, by amending **Chapter 3, General Requirements, Section 307, Open Burning** of the 2015 International Fire Code, by providing an exception and conditions for burning within the Agricultural Security Area of the Township.

NOW, THEREFORE, THIS 5th DAY OF December, 2020, THE COUNCIL OF CONCORD TOWNSHIP HEREBY ENACTS AND ORDAINS THE FOLLOWING:

SECTION I:

Section 112-2 Additions, Insertions and Changes of Ordinance 379 is hereby amended by adding thereto:

Subsection E.1.6

Burning shall be permitted on any day when fires are not declared to be a hazard by the Township Fire Marshall within the Agricultural Security Area of the Township (defined in Resolution No. 40 of 1997 and in correspondence dated October 17, 1997, to the Delaware County Recorder of Deeds) where the property is currently in active agricultural use and where the material is agricultural in nature and/or vegetative in an unmanufactured state, and from the property where the burning takes place, and the burning, including carry over burning from day to day, is

conducted by a resident of the agricultural use property who shall remain attendant at the site of the burning at all times.

SECTION II. REPEALER.

All Township ordinances and parts of ordinances inconsistent with the provisions hereof, are hereby repealed and rescinded to the extent of any inconsistency or conflict.

SECTION III. SEVERABILITY.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Council of Concord Township that such remainder shall be and shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall take effect five (5) days after the date of its enactment by the Council of Concord Township.


ENACTED and ORDAINED this 8th day of December, 2020.

CONCORD TOWNSHIP COUNCIL



Dominic A. Pileggi, Council President

Attest:



Amanda Serock, Township Manager