

**BOROUGH OF ECONOMY
ORDINANCE NO. 485**

AN ORDINANCE OF THE BOROUGH OF ECONOMY, BEAVER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 62 OF THE CODE OF THE BOROUGH OF ECONOMY ENTITLED “Burning, Outdoor” TO PROVIDE NEW RESTRICTIONS ON THE BURNING OF RECYCLABLES AND YARD WASTE IN ACCORDANCE WITH PA ACT 101.

WHEREAS, revisions appear as follows: underlined for text to be added, ~~strikeout~~ for text to be removed, if any, and where entire sections are to be repealed and/or deleted, it shall simply be noted.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the authority of Borough Council of the Borough of Economy and it is hereby ordained and enacted by and with the authority of the same as follows:

SECTION 1. In Chapter 62, §62-1 “Open fires restricted” the following new regulations are hereby added:

§62-1 Open fire restricted

A. Burning of anything on public streets, sidewalks or public grounds is prohibited. Charcoal and propane grills are permitted at public parks for the express purpose of cooking food, provided the coals are extinguished or otherwise safeguarded from igniting a fire upon departure from the park.

B. General restrictions.

(1) A person shall not kindle or maintain or authorize to be kindled or maintain any open burning unless conducted and approved in accordance with this chapter.

(2) The burning of rotted tree wood, or construction wood that is chemically preserved or treated, or all leaves is prohibited and shall be a violation of this chapter.

(3) No person shall burn any recyclable materials, including paper and cardboard as defined within Chapter 140 of the Code of the Borough of Economy, as amended, within the limits of the Borough of Economy.

(4) In addition to the prohibition against the burning of recyclable materials, the burning of materials which will create nausea or noxious fumes, smoke, and toxic chemicals, or causing offensive

odor, community and environmental concern, excessive fly ash or is a violation of Department of Environmental open burning regulations is specifically prohibited.

- (5) The burning of dry grass and garden waste is specifically prohibited on all lots of 10 acres or less.
- (6) The burning of leaves is prohibited, regardless of the size of the property.
- (7) The clearing of land for the purpose of development that is part of a subdivision or land development approval.
- (8) The burning of brush piles, yard waste, vegetative matter, and trees generated from a commercial business which has been transported off-site.

SECTION 2.

In Chapter 62, §62-2 “Exceptions; regulations” the following regulations are hereby amended and added:

§62-2 Exceptions; regulations

Burning of anything on private property is prohibited except as follows:

- A. The property owner's permission must be obtained.
- B. Fires for cooking purposes on commercially made grills are permitted at all times. Fires for cooking purposes on homemade fire pits, etc. are restricted as follows:
 - (1) The area where the fire will burn must be well contained, attended at all times, and be fully extinguished and not left smoldering when finished.
 - (2) A means to suppress sparks and ashes from escaping upwards and potentially igniting another fire must be in place.
 - (3) A fire extinguisher, water source or other means of dousing the fire quickly must be on hand.
 - (4) It must be abundantly apparent that the purpose of the fire is for cooking, and the mere presence of a marginal amount of food as a subterfuge will be considered a violation of this chapter.
- C. Burning of dry, readily combustible non-recyclable household items ~~such as paper and boxes~~ is permitted under the following circumstances:
 - (1) Tuesday through Saturday except federal holidays, sunrise to

sunset, for no more than one hour during any day.

- (2) The burning area must be well contained, such as in a burn barrel, including a means to suppress sparks and ashes from escaping upwards, attended at all times, and be fully extinguished and not left smoldering when finished.
- (3) A fire extinguisher, water source or other means of dousing the fire quickly must be on hand.
- (4) Must be at least 50 feet from any dwelling and more than 15 feet from any accessory structure.

D. With the exception of leaves, the burning of dry, readily combustible, non-recyclable yard waste such as brush and sticks, etc. is permitted under the following circumstances:

- (1) Under one cubic yard of loose material, the same as Subsection C above.
- (2) One cubic yard or more of loose material:
 - (a) The Borough Fire Department is contacted in advance and advised of such plans so that the Fire Department may be aware of the location of said land and be able to stand by in case of emergency.
 - (b) By permit issued by the Fire Code Official or duly authorized representative.
 - (c) Tuesday through Saturday except federal holidays, sunrise to sunset, for no more than three hours during any day.
 - (d) The burning area must be well contained or otherwise situated as being deemed safe by the Fire Code Official or duly authorized representative on days when wind gusts do not exceed 10 miles per hour, attended at all times, and be fully extinguished and not left smoldering when finished.
 - (e) A fire extinguisher of sufficient size, water source or other means of dousing the fire quickly must be on hand.
 - (f) Must be at least 100 feet from any dwelling and more than 50 feet from any accessory structure.

E. Fireplaces within a private residence are permitted for the purpose of providing heat or for use as a barbecue, but in no event shall garbage, rubbish or trash be burned in a fireplace.

FE. Commercial burning is permitted in the Industrial Zone and will be controlled by the Fire Code Official or duly authorized representative on a case-by-case basis. Commercial burning is defined as burning that is an integral and ongoing part of a business.

FG. The Borough, through its agents, shall determine what constitutes a “well contained” burning area and all other subjective terms herein, with the Fire Code Official or duly authorized representative having final say if there is a dispute.

SECTION 3.

Severability. Should any sentence, section, clause, part or provisions of this Ordinance amendment be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 4.

Repealer. All ordinances, code sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5.

This Ordinance shall take effect immediately upon its adoption.

ORDAINED AND ENACTED this 28th day of May, 2024. This Ordinance shall Take Effect the 28th day of May, 2024.

ATTEST:
(SEAL)


Travis Cavanaugh, Borough Manager




BOROUGH OF ECONOMY
COUNCIL


By Frank Morrone, President
Borough Council

Examined and Approved on this 28th day of MAY, 2024.


Jo Ann Borato, Mayor

I, Travis Cavanaugh, Borough Manager of the Borough of Economy, do hereby certify that the foregoing Ordinance was advertised in the Beaver County Times, a newspaper of general circulation, on 30th day of April, 2024, and on 7th day of May, 2024, and that this is a true and correct copy of Ordinance No. 485, adopted at a regular meeting of the Borough Council, held on the this 28th day of May, 2024.



Borough Manager

5/28/2024

Date