

LOWER PAXTON TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 22-04

AN ORDINANCE OF LOWER PAXTON TOWNSHIP, DAUPHIN COUNTY, PENNSYLVANIA,
AMENDING THE TOWNSHIP'S CODIFIED ORDINANCES, CHAPTER 106, FIRE
PREVENTION AND PROTECTION, TO PROHIBIT OPEN BURNING AND MODIFY
EMERGENCY ACCESS KEY BOX ENFORCEMENT

19374

WHEREAS, the purpose of this Ordinance is to promote the general health, safety, and welfare of the citizens of Lower Paxton Township (the "Township"); and

WHEREAS, the Pennsylvania Department of Environmental Protection has required the Township to prohibit the burning of recyclable items, as defined by Pennsylvania Act 101 of 1988, to remain eligible for certain recycling grant funds; and

WHEREAS, the Board of Supervisors of Lower Paxton Township adopted Ordinance 01-08, requiring the installation of emergency access key boxes on all non-residential and certain multi-family residential structures having an automatic fire alarm system or fire sprinkler system; and

WHEREAS, Ordinance 01-08 established violation and penalty provisions relating to any failure to comply with regulations therein, however left uncertain the appropriate mechanisms by which said violation enforcement actions shall be rendered.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Lower Paxton Township, that Chapter 106 of the Codified Ordinances is hereby amended to include and read as follows (text expressed as underlined shall constitute amended text within the existing framework of Chapter 106):

Chapter 106. Fire Prevention and Protection.

...

Article III Emergency Access Key Boxes.

...

§ 106-20 Violations and penalties Enforcement.

The provisions of this Article shall be enforced by any Township Police Officer or Fire Official as assigned by the Township Manager.

§ 106-21 Effective date Violations and penalties.

Any person, firm, or corporation who or which shall violate any provision of this article or shall fail to comply with any of the requirements thereof shall be punishable by a fine not to exceed \$1,000 plus costs, and in default of payment of such fine and costs to imprisonment not to exceed 30 days.

§ 106-22 Effective date.

The provisions of this article shall apply to all structures built on or after July 1, 2001.

Article IV Open Burning.

§ 106-23. Definition.

Burn Container. Any noncombustible container or enclosure used to dispose of materials through burning which does not contain holes greater than one inch and which is covered by a wire mesh or other noncombustible cover to prevent fly ash from escaping into the atmosphere.

Open Burning. The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

Recreational Fire. An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill, or barbeque pit, and has a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height for pleasure, religious, ceremonial, cooking, warmth generation, and similar purposes.

§ 106-24. Prohibited Burning.

A person shall not kindle or maintain or authorize to be kindled any opening burning unless conducted and approved in accordance with this section. The open burning of refuse and recyclable materials, including leaf waste, as described in Chapter 165 of the Codified Ordinances of the Township, shall be prohibited.

The burning of garbage, rubbish, rags, bones, leaves, paper and other trash in cans, barrels, outdoor fireplaces, drums or metal containers, incinerators or in the open or where burning of any item is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make any fires hazardous are prohibited and such acts pertaining thereto are hereby declared nuisances.

§ 106-25. Recreational Fires Permitted.

Recreational fires shall not require possession of a permit, however shall comply with the following conditions:

- No refuse (trash), recyclables, construction materials, leaves, or yard trimmings may be burned.
- Fires shall be limited to three (3) feet or less in diameter and two (2) feet or less in height.
- Only dried, seasoned wood - or other items to include charcoal, and manufactured logs – may be burned.
- Fires shall be in a burn container fitted by a protective barrier, or portable fire pit as approved by Township specifications.
- Fires shall be at least 25 feet from any property line or structure
 - Fires contained in portable fire pits shall be 15 feet away from any property line or structure.
- A garden hose or portable fire extinguisher must be made available for immediate use in the event fire particulants spread beyond the burn container or portable fire pit.
- Fires shall be completely extinguished at the end of use and shall not be left unattended or otherwise be left to “burn out”.

§ 106-26. Enforcement.

The provisions of this Article shall be enforced by any Township Police Officer or Fire Official as assigned by the Township Manager.

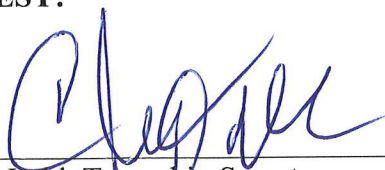
§ 106-27. Violations and Penalties.

Violations of this article shall be enforced by action brought before a Magisterial District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, firm or corporation who or which violates or permits a violation of this Chapter shall, upon conviction in a summary proceeding, be punishable by a fine of not more than \$1,000.00 plus court costs, or in default of payment thereof, shall be subject of imprisonment for a term not exceeding thirty (30) days.

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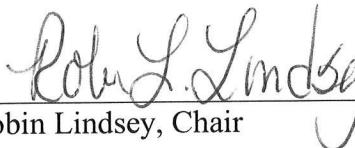
DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 22-04 this 18 day of June, 2024 by the Board of Supervisors of Lower Paxton Township.

ATTEST:

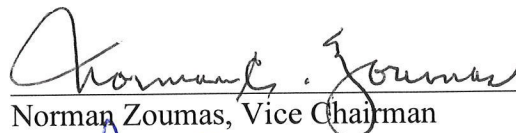


Chris Judd, Township Secretary

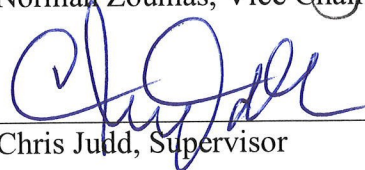
**BOARD OF SUPERVISORS
LOWER PAXTON TOWNSHIP**



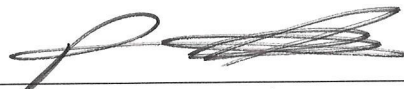
Robin Lindsey, Chair



Norman Zoumas, Vice Chairman



Chris Judd, Supervisor



Paul Navarro, Supervisor



Pamela Thompson, Supervisor