

NO. 2 of 2015

**AMENDMENT TO THE ORDINANCE OF
THE BOROUGH OF LUZERNE, PENNSYLVANIA
PROHIBITING BURNING IN THE BOROUGH OF LUZERNE**

BE IT ORDAINED AND ENACTED, and its hereby enacted and ordained by the Mayor and Council of Luzerne, Luzerne County, Pennsylvania, as follows:

The ordinance of the Borough of Luzerne, Pennsylvania, prohibiting the burning of paper and paper products in the Borough of Luzerne is hereby repealed and such Ordinance is hereby amended to read as follows:

1. OUTDOOR BURNING BAN:

All out-of-doors burning and/or smoldering of any material at any time in any area within the Borough of Luzerne is strictly prohibited and any violation of such ban shall be punishable under Paragraph 4 of this Ordinance, with the exception of the such items, materials, appliances and restrictions for burning imposed hereby set forth herein.

2. MATERIALS and APPLIANCES EXCEPTIONS:

A. The use of cigarettes, cigars and pipes for personal smoking provided such personal usage must comply with any and all local, state and federal rules and regulations governing such usage.

B. The use of charcoal and propane grills for the purpose of cooking.

C. The use of ornamental torches (example: tiki torches).

D. The use of outdoor fire/burn pits and chiminea fireplaces manufactured for such specific application and usage, and used in accordance with the manufacturer's specifications.

3. RESTRICTIONS:

The following restrictions shall apply to the use of any charcoal or propane grills, ornamental torches, outdoor fire or burn pits and chiminea fireplaces:

A. Such enumerated burning shall be attended to at all times;

B. Such enumerated burning shall be a minimum of eight (8) feet from any structure located on the property;

C. Such enumerated burning shall be a minimum of five (5) feet from any property line;

D. Such enumerated burning for fire/burn pits shall be no more than eighteen (18) inches in height.

E. Such enumerated burning can not be conducted under any roof, ceiling, or tree;

F. Such enumerated burning can only use clean/seasoned wood products;

G. Any person conducting such enumerated burning activity must possess adequate fire suppression materials (i.e. water supply, garden hose, class ABC fire extinguishers) within no more than ten (10) feet of the burning activity.

H. Such enumerated burning activity may be suspended by order, announcement, resolution or proclamation of Council at any time during prolonged periods of drought.

4. VIOLATIONS AND PENALTIES:

Any person, business, or corporation who shall be convicted of violating the provisions of this Ordinance before any District of Magistrate shall be punishable by a fine of not less than Three Hundred (\$300.00) Dollars for any offense thereof, together with the costs of prosecution.

ENACTED AND ORDAINED this 8th day of July, 2015, at a regular meeting of the Council of the Borough of Luzerne, Held on the 8th day of July, 2015.

Attest:



Linda S. Booth, Secretary



Michael Jancuska
Council Chairman

APPROVED, this 8th day of July, 2015.



James Keller, Mayor