

Chapter 82
BURNING, OUTDOOR

GENERAL REFERENCES

Solid waste — See Ch. 166.

§ 82-1. Purpose.

This chapter is enacted in the interest of the health, safety and welfare of the residents of the Township of Brighton for the prevention of fires and to eliminate nuisances caused by smoke, cinders and ashes.

§ 82-2. Permitted activities. [Amended 7-9-2012 by Ord. No. 182]

- A. The burning of household waste outdoors within the limits of the Township of Brighton shall be permitted provided such fires are protected by a salamander, wire basket or masonry enclosure. Such receptacle must have openings not greater in size than 1/2 inch. The receptacle must be equipped with a top so constructed as to prevent fly ash from escaping into the atmosphere.
- B. Permitted fires, with the exception of those defined in Subsection D, shall not be kindled or maintained on Sunday, Monday, Tuesday or legal holidays, but shall be permitted on Wednesday, Thursday, Friday or Saturday of each week between the hours of 7:00 a.m. to 7:00 p.m. All fires must be tended at all times until the fire is totally extinguished. It shall be unlawful to leave a smoldering fire unattended.
- C. It shall be lawful to burn refuse material outdoors which is readily combustible and will not create nauseous fumes, noxious smoke or excessive fly ash during the hours set forth under Subsection B above.
- D. Charcoal or wood fires kindled for the purpose of outside barbecues shall be permitted and shall be considered recreational fires exempt from the restrictions set forth in Subsection B. Such fires shall be contained within a defined burning ring not to exceed 60 inches in diameter. Such fires shall be permitted from 7:00 a.m. to 11:30 p.m. All fires must be tended at all times until the fire is totally extinguished.
- 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.
- F. The burning of large brush piles or grass areas for the purpose of clearing land shall be permitted, provided that the Township's 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.
- G. All persons engaged in the business or occupation of farming shall be exempt from the restrictions set forth in Subsections B and F.

§ 82-2.1. Prohibited activities. [Added 7-9-2012 by Ord. No. 182]

- A. No person shall burn any recyclable materials within the limits of the Township of Brighton as that term is defined in § 166-2 of the Brighton Township Code.
- B. The outdoor burning of household refuse within the limits of the Township of Brighton shall be permitted provided that the burning container is not located within 10 feet of any property line or any building on the subject property nor within 50 feet of any building on any adjoining property.
- C. The burning of any material is prohibited upon any public street or alley.
- D. In addition to the prohibition against the burning of recyclable materials in Subsection A above, the burning of garbage, vegetable waste, rubber, plastics, furniture, glass, metals, crocking, car products or any other materials which will create nausea or noxious fumes, smoke, toxic chemicals or excessive fly ash is specifically prohibited.
- E. The burning of dry grass and garden waste is specifically prohibited on all lots of 10 acres or less. The burning of leaves is prohibited, regardless of the size of the property.

§ 82-3. Violations and penalties.

Any person who shall violate any of the provisions of this chapter or fail to comply herewith shall, upon conviction before a District Justice, be subject to a fine of not less than \$100 and not more than \$600, plus costs of prosecution, for each violation. In the event that the fines and costs are not paid, the defendant shall be sentenced to serve not more than 30 days in the Beaver County jail. Each day the violation exists shall constitute a separate offense.