THREE SPRINGS BOROUGH

ORDINANCE NO. 2026- 10-03

AN ORDINANCE OF THE THREE SPRINGS BOROUGH, HUNTINGDON COUNTY, COMMONWEALTH OF PENNSYLVANIA, REGULATING OUTSIDE BURNING WITHIN THE BOROUGH; SETTING TIME LIMITS, TYPE OF MATERIAL TO BE BURNED, AND CONDITIONS UNDER WHICH BURNING MAY BE PERMITTED.

BE IT ORDAINED and enacted by the Three Springs Borough Council and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. Definitions

Burning – As used within this Ordinance "burning shall have the following meaning. "The igniting of any material to cause flame, smoke, embers, hot ash or residue, in combination or individually."

Burn Container – Any container used for the purpose of burning materials as authorized herein; constructed of masonry, metal or other non-combustible rigid material; containing a bottom, sides and a cover as herein defined. "Burn Containers" shall not be allowed to deteriorate to the point where they contain holes or missing surface in the structure. Outdoor fireplaces or incinerators shall be considered as Burning Containers for the purpose of this Ordinance.

If metal drums are being used, they shall not have contained toxic or flammable or other regulated materials. They shall be free from holes in the sides and/or bottom, except that they may contain drain or vent holes in the bottom of the drum no larger than two (2) square inches each.

Exception: Portable outdoor grills, fired by propane or charcoal, and designed for food preparation, are excluded from the provisions of this Ordinance.

Burn Container Cover – A metal screen with spaces not more than one-half (1/2) square inch, or other comparable material, which covers the entire open area above the burn container opening. Such screen shall be maintained in good order as to prevent large particles from escaping the burn container during operation. The cover shall not be allowed to deteriorate to any point whereby it looses its maximum efficiency.

Burnable Materials – Burnable materials shall include the following:

Paper – includes newsprint, wrapping paper, paper products or sheet paper items. Paper used to absorb oils or other noxious or toxic materials; plastic coated paper; paper attached to other non-burnable materials, or any other paper product that is wet shall not be included as *burnable paper products*, and are hereby prohibited from burning.

Cardboard & Chipboard – Includes cardboard & chipboard boxes, sheets, packing materials, etc. Excluded and not permitted to be burned are materials used to absorb all oil or other noxious or toxic materials; cardboard or chipboard in combination with any other non-burnable materials.

Wood – Includes any unpainted wood or wood product. Excluded and not permitted to be burned are any wood that has been chemically treated to prevent rot or moisture damage, or other similar treatment; wood products that have a high glue content, such as *Flakeboard or Composition Board*; and wood products in combination with any non-burnable materials.

Non-Burnable Materials – the following is a partial list of those materials that are classified as *"non-Burnable"* under the guidelines of this Ordinance.

*Plastic; rubber; oils; asbestos; composition boards; shingles; felt paper; canvas; fiber glass; vinyl; or any similar materials; or any combination of the above with any other materials.

*Human or animal waste; sanitary napkins; diapers; food solids; oil filters; or any other materials individually or in combination, that emit smoke, or acrid, obnoxious or toxic odors.

*Grasses, green twigs or leaves.

The above is a partial list of those items and materials prohibited under the guidelines of this Ordinance. Any other materials that do not comply fully with the intent of this Ordinance, or otherwise create a nuisance to people or animals are strictly prohibited.

Sunrise/Sunset – A specific time of day, as determined and published by the U.S. Weather Bureau locally, at which the sun rises and sets.

Section 2. No person or corporation shall cause to be burned any of the above *Non Burnable Materials*, or any like or similar materials not in compliance, or inconsistent with this Ordinance. It shall be illegal to burn any materials that give off any acrid, obnoxious or toxic odors, or emit heavy smoke.

Section 3. Burning, in compliance with this Ordinance, shall be permitted only between the hours of sunrise and sunset. Under no conditions shall burning, as defined herein, be permitted between the hours from sunset to sunrise. Fires allowed to burn or smolder after sunset shall be in violation of this Ordinance, and all those persons or corporations causing such fires shall be prosecuted under the guidelines of this Ordinance.

Section 4. Burning, in compliance with this Ordinance, shall be attended at all times by an individual fourteen (14) years or older until such time as the flame has subsided completely. Unattended burning shall be in direct violation of this Ordinance, and all persons or corporations causing and allowing such unattended burning shall be prosecuted under the guidelines of this Ordinance.

Section 5. No *Burning Container* shall be used or stored within twenty-five (25) feet of any building or structure. No *Burning Container* shall be used or stored within twenty (20) feet of a public sidewalk area. No *Burning Container* shall be used or stored without the proper cover in place. No *Burning Container* shall be used for any other purpose.

Section 6. All fires outside of *Burning Containers* are hereby prohibited with the Borough.

This Ordinance does not prohibit the issuance of "Special Burning Permit" by the local Fire Marshall whenever circumstances so dictate. Such Special Permits shall be issued in writing by the Fire Marshall on a form provided by the Borough. In granting such Permit, the Fire Marshall shall determine whether or not the Fire Company shall be in attendance.

Section 7. Any and all Three Springs Borough Council Members are hereby granted the authority and responsibility for inspecting outside *Burning Containers* for compliance with this Ordinance. In the event any violations of this Ordinance are found to be in existence at the time of inspection, the Three Springs Borough Council is hereby charged with the responsibility of issuing warnings or citations, as merited, for all violations of this Ordinance.

Section 8. Any person or corporation who violates the provisions of this Ordinance shall, upon conviction, pay a fine not to exceed one thousand dollars ($1000.00) and the costs of prosecution, and in default therewith, undergo imprisonment in the County Prison for a period not to exceed thirty (30) days.

Section 9. If any clause, sentence or other provisions of this Ordinance should be declared unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the remaining provisions of this Ordinance, and the Three Springs Borough Council declares that it would have adopted this Ordinance had such unconstitutional, illegal or invalid provisions not been contained herein.

Section 10. All other Ordinances inconsistent with this Ordinance, are hereby repealed insofar, but only insofar, as they are inconsistent herewith.

ATTEST

Stacy Kauffman

BOROUGH OF THREE SPRINGS

Bonnie Watkins

Council President

Approved this 5th day of October, 2026

Mayor