

ORDINANCE NO. 05-12-2025-02

AN ORDINANCE REGULATING THE OUTDOOR BURNING OF MATERIALS

BE IT ORDAINED, by the Board of Supervisors of the Township of Wayne, in the County of Clinton and the Commonwealth of Pennsylvania, as follows:

WHEREAS, the unregulated outdoor burning of materials affects the health, safety and welfare of the residents of the Township; and

WHEREAS, Wayne Township desires to minimize the negative effect of outdoor burning on the health, safety and welfare of the residents of the Township.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby ENACTED AND ORDAINED by the Board of Supervisors of Wayne Township, Clinton County, Pennsylvania, as follows:

SECTION 1: Prohibited and Permissible Burning.

1. No person shall burn outdoors any garbage, refuse or any plant material which may be burned by fire except corrugated cardboard, dry paper products, dry plant material and such fires as are used for outdoor eating, such as grills using charcoal.
2. Recreational fires consisting of a small wood-burning fire used for family gatherings, not to exceed five (5) feet in diameter, are permitted.
3. Notwithstanding any other provisions of this Ordinance, no person shall burn outdoors any garbage, refuse or any plant material generated outside the Township and brought into the Township for burning.

4. The Board of Supervisors, upon resolution, may ban any such burning listed above during drought or emergency conditions, or as otherwise declared by County and/or State officials. Information on the existence of such a ban may be given by the Board of Supervisors through radio, newspaper or other available media, and information on the termination of the ban may be given by use of the same media.

SECTION 2: Manner of Burning.

Any burning allowed by this Ordinance shall be accomplished only in a manner as not to cause excessive smoke and only if attended at all times by the person responsible therefor. The word "attended" as used in the foregoing sentence shall mean that the person responsible shall remain, at all times, within twenty-five (25) feet of the burn area or burn container until such time as the fire has been completely extinguished.

SECTION 3: Hours.

Outside burning shall be allowed between sunrise and sunset. No outside burning shall be permitted on Sunday or any holiday including New Years Day, Easter, Memorial Day, July 4th, Labor Day, Thanksgiving or Christmas.

SECTION 4. Containers.

Any burning allowed by this Ordinance shall be accomplished only in a covered, properly ventilated metal container, not to exceed a capacity of fifty-five (55) gallons, so constructed as to prevent burning materials and ashes from escaping therefrom; any dry leaves and any dry plant material may be burned on gardens.

SECTION 5. Burning Location.

No burning as permitted under this Ordinance shall be allowed within fifty (50') feet of any occupied dwelling or within fifteen (15) feet of any public right-of-way.

SECTION 6. Penalties.

1. Any person who shall violate any provision of this Ordinance, shall be sentenced to pay a civil penalty of not less than Fifty (\$50.00) Dollars and not exceeding One Thousand (\$1,000.00) Dollars, plus costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

2. A second or subsequent violation of any provision of this Ordinance shall result in a civil penalty of not less than Two Hundred Fifty (\$250.00) Dollars and not to exceed One Thousand (\$1,000.00) Dollars, plus costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

SECTION 7: Severability.

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Township that such remainder shall remain in full force and effect.

SECTION 8: Repealer.

All Ordinances or parts of Ordinances that are inconsistent with this Ordinance shall be and the same expressly are repealed.

SECTION 9: Effective Date.

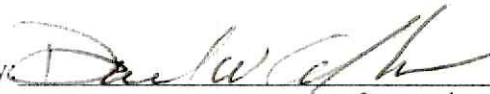
The provisions of this Ordinance shall become effective on the first day allowable under the Commonwealth of Pennsylvania's Second Class Township Code.

DULY ENACTED AND ORDAINED this 12th day of May, 2025, by the Board of Supervisors of Wayne Township, Clinton County, Pennsylvania, in lawful session, duly assembled.

ATTEST:

TOWNSHIP OF WAYNE,
CLINTON COUNTY, PENNSYLVANIA


Secretary

By: 
Supervisor

By: 
Supervisor

By: _____
Supervisor