

BOROUGH OF LITITZ
ORDINANCE NO. C-612

AN ORDINANCE AMENDING CHAPTER 38 OF THE LITITZ BOROUGH CODE, BURNING, OPEN TO UPDATE THE REGULATIONS TO BETTER REGULATE VARIOUS FORMS OF OUTDOOR FIRES IN THE BOROUGH.

BE IT ORDAINED AND ENACTED BY BOROUGH COUNCIL OF THE BOROUGH OF LITITZ, LANCASTER COUNTY, PENNSYLVANIA, as follows:

1. Definitions

Activity – An event which is not advertised or open to the general public that is held on privately owned property and may require street closures.

Campfire- a small, open fire that is built directly upon the ground, typically used for warmth, cooking, or as a focal point for social gatherings.

Chiminea- A freestanding fireplace or oven that has a wide-bottom vase form connected to a narrow smoke vent. Typically constructed of clay or terracotta but can also be made of copper, cast iron, steel, or cast aluminum.

Fire Ring- a stationary construction or device made of metal, stone, bricks, or concrete used to surround and contain campfires as a barrier to keep the fire from spreading.

Manufactured Fire Pit- a movable vessel specifically manufactured for the purpose of containing an outdoor fire and preventing it from spreading.

Outdoor grill/smoker- device used for cooking, typically fueled by charcoal, propane, or firewood.

Patio Stove- Open flame burner, typically fueled by propane or similar fuel, used for outdoor cooking.

Seasoned wood- firewood that has been sufficiently dried so as to contain twenty percent or less moisture by weight.

Special Event – Any event held within the Borough of Lititz that affects a public roadway owned or maintained by the Borough of Lititz or the Commonwealth of Pennsylvania, and to which the general public is invited or advertised to be invited.

2. No person shall feed an open fire to burn any household trash; books; magazines; newspapers; cardboard; scrap lumber; plywood; construction debris; plastic products; insulation material;

furniture; dead animals; rubber products, including tires; hydrocarbon products or flammable liquids; or designated recycling materials, including leaves and yard waste or matter of any kind.

3. No person shall burn any paper, refuse, or matter of any kind in an incinerator unless that incinerator has been reviewed, approved, and permitted by the Pennsylvania Department of Environmental Protection.
4. Outdoor grills/Smokers, and Patio Stoves shall be permitted upon private property within the Borough solely for the purpose of cooking food, subject to the following requirements:
 - a. No person shall use such grills, smokers, or stoves for burning of materials as outlined in § 38-2.
 - b. Outdoor grills/Smokers, and Patio Stoves shall not be used for such purposes other than cooking food.
 - c. Outdoor grills/Smokers, and Patio Stoves shall not be used indoors or in any enclosed areas that are not properly ventilated, i.e., garages, etc.
5. Outdoor fireplaces, Chimineas, or Manufactured Fire Pits shall be permitted outside on any residential private property within the Borough, subject to the following requirements:
 - a. No person shall use such fireplaces, chimineas or manufactured fire pits, for the burning of any material listed in §38-2.
 - b. Only seasoned wood may be burned within Outdoor fireplaces, Chimineas, or Manufactured Fire Pits, with the exception of those designed specifically to use propane or a similar fuel source.
 - c. Outdoor fireplaces, Chimineas, or Manufactured Fire Pits shall not be used indoors or in any enclosed areas that are not properly ventilated, i.e., garages, etc.
 - d. Outdoor fireplaces, Chimineas, or Manufactured Fire Pits must be located at least ten feet from all structures and at least ten feet from all property lines, road rights-of-way and stream banks. No such burning is permitted in any front yard. Corner lots with double frontage will require review by a Borough Fire or Code Official.
6. Campfires contained within a Fire Ring, not exceeding three (3) feet in diameter shall be permitted outside on any residential private property within the Borough, subject to the following requirements:
 - a. Only seasoned wood may be burned within such Fire Ring.
 - b. No persons shall use such campfire for the burning of any material listed in § 38-2. of this article.
 - c. Any campfire must be located at least 25 feet from all structures and at least 25 feet from all property lines, road rights-of-way and stream banks. No campfire is permitted in any front yard. Corner lots with double frontage will require review by a Borough Fire or Code Official
7. Outdoor burning permitted in accordance with §38 will be subject to the following requirements:
 - a. No person shall cause, suffer, or permit the burning of any material in a manner that:

- i. The emissions are visible, at any time, at the point such emissions pass outside the property line of the person on whose land the burning is being conducted.
 - ii. The emissions cause damage to vegetation or property.
 - iii. The emissions are or may be deleterious to human or animal health.
 - b. All burning authorized by §38, whether conducted in a receptacle, incinerator or in the open shall be kept under constant supervision by a responsible adult during the burning activity, and at the end of the burning activity the fire shall be completely extinguished.
 - c. No burning of any kind shall be permitted during the period of a drought warning or drought emergency, declared by the DEP or Lancaster County for Lancaster County.
8. Bonfires may be approved by Borough Council as part of a Special Event or Activity Permit, and are subject to the following requirements:
 - a. Only one approval will be granted per location within a 12-month period.
 - b. Only seasoned firewood and pallets are permitted to be burned in a bonfire. Burning of any material listed in §38-2 of this article is prohibited.
 - c. Bonfires must be located at least 100 feet from all structures, road rights-of-way and streams, and all property lines.
 - d. Bonfires shall not exceed ten (10) feet in diameter and six (6) feet in height.
 - e. Bonfires shall be kept under constant supervision by a responsible adult during the burning activity and at the end of the burning activity the fire shall be completely extinguished. All fires must be extinguished by 11 PM.
 - f. A garden hose or portable fire extinguisher, with a minimum of a 4-A rating, must be present, operational, and ready for use by a competent individual to prevent unintended fire spread.
 - g. No burning shall be permitted during the period of a drought warning or drought emergency declared by the PA DEP or Lancaster County for Lancaster County, or during periods of Red Flag Warning as declared by the National Weather Service.
 - h. If the wind speed is greater than 10 MPH per the National Weather Service, using the Lancaster Airport for current conditions, the bonfire shall not be lit. If a bonfire is already burning, it shall be extinguished.
 - i. The issued permit for the bonfire must be present at the bonfire site and available for review by local Fire and/or Police officials. A Borough Fire or Code Official or Police Officer is authorized to order the extinguishment of any burning which creates, or adds to, a hazardous or objectionable situation, or if no signed permit is presented upon request.
9. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$500 and costs of prosecution for the first violation nor more than \$1000 and costs of prosecution for the second and subsequent violations or, in default of payment of such fine and costs, to imprisonment in the Lancaster County Prison for not more than 30 days.