

AN ORDINANCE OF THE TOWNSHIP OF WINDSOR,
YORK COUNTY, PENNSYLVANIA, AUTHORIZING
THE DECLARATION OF A FIRE EMERGENCY
WHEN DRY CONDITIONS IN THE TOWNSHIP CREATE A
SUBSTANTIAL DANGER TO LIFE OR PROPERTY FROM FIRE
AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Board of Supervisors pursuant to the Second Class Township Code, Act of November 9, 1995, P.L. 350, No. 60, as amended, Sections 1506 and 1527, find that for the maintenance of the health and welfare of the Township and its citizens and to secure the safety of persons and property within the Township, it is necessary to enact an ordinance regulating open burning within the Township when dry conditions in the Township create a danger to life or property from fire.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Windsor Township, York County, Pennsylvania, and it is hereby enacted and ordained as follows:

ARTICLE I - DEFINITIONS.

As used in this ordinance, the following terms shall have the following meanings unless the context clearly indicates a different meaning is intended:

Allowed Receptacle - Gas or charcoal grill.

Board - Windsor Township Board of Supervisors.

Fire Emergency - A period during which dry conditions in the township create a danger to life or property from fire.

Manager - Windsor Township Manager.

Open Fire - An outdoor fire in which any material is burned in the open or in a receptacle other than an allowed receptacle.

Person - Any individual, partnership, association, corporation, department, bureau, agency or other legal entity.

Township - Windsor Township.

ARTICLE II - DECLARATION OF A FIRE EMERGENCY

The Manager, after conferring individually with a majority of the Board members, shall declare a fire emergency when the Manager determines that a fire emergency exists. The Manager shall immediately give notice of the fire emergency to at least one daily newspaper of general circulation in the township and one radio station received in the township.

ARTICLE III - PROHIBITED ACTIVITIES DURING A FIRE EMERGENCY

During a time that a fire emergency has been declared, no person shall:

- A. Ignite or feed an open fire; or
- B. Cause, suffer, allow or permit an open fire on any property under his control.

ARTICLE IV - ENDING FIRE EMERGENCY

At such time as a fire emergency no longer exists, the Manager shall declare the fire emergency to be at an end and shall give the same notice required in Article II.

ARTICLE V - VIOLATIONS AND PENALTIES

Enforcement shall be brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Upon conviction thereof, a violator shall be subject to a criminal fine not to exceed one thousand (\$1,000) dollars per violation plus costs and reasonable attorney fees incurred by the Township, to a term of imprisonment to the extent allowed by law for the punishment of summary offenses, or to a term of imprisonment for the failure to pay a fine pursuant to the Pennsylvania Rules of Criminal Procedure. Each day of continued violation of any provision of this ordinance shall constitute a separate offense.

ARTICLE VI - ABATEMENT

The Manager is authorized to direct any employee of the township or a member of the local fire company to extinguish any fires burning in violation of this ordinance.

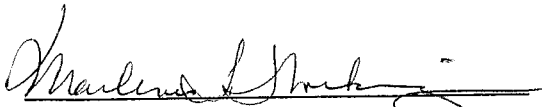
ARTICLE VII

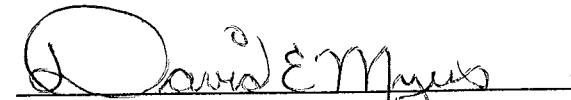
This ordinance shall become effective five (5) days after date if enactment as provided by law.

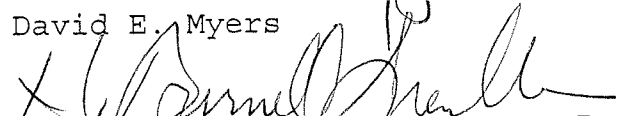
ENACTED AND ORDAINED THIS 21st. DAY OF August 1997.

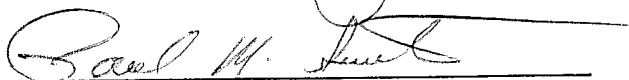
WINDSOR TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:


Marlene F. Workinger


David E. Myers


H. Burnell Sprenkle


Paul M. Smith