

Chapter 43
BURNING, OPEN

§ 43-1. Burning prohibited in certain districts.

§ 43-3. Violations and penalties.

§ 43-2. Exemptions.

§ 43-4. Effect on other provisions.

[HISTORY: Adopted by the Board of Supervisors of the Township of Dallas 12-4-1984 by Ord. No. 1984-4. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 55.

Solid waste — See Ch. 68.

§ 43-1. Burning prohibited in certain districts.¹

Any person who resides in an area of the Township of Dallas designated as a residential district (S-1, R-1, R-2 and R-3) or as a business district (B-1, B-2, B-3 and B-4) on the Zoning Map of Dallas Township, adopted by the Supervisors of Dallas Township in August 1965, as amended, shall not burn any material whatsoever on his property at any location which is within 150 feet from the location of any adjoining residence.

§ 43-2. Exemptions.

The following uses of burning are exempted from the provisions of this chapter:

- A. Coal furnaces, oil furnaces and gas furnaces.
- B. Burning wood and paper in an interior fireplace in a residence.
- C. Wood, coal, oil and gas stoves and heaters.
- D. Burning charcoal in a grill or a similar receptacle.
- E. Cigarettes, cigars, and tobacco in pipes.
- F. Punk.
- G. Kerosene lamps and torches.

§ 43-3. Violations and penalties.

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

§ 43-4. Effect on other provisions.

This chapter shall not replace or affect in any way the Pennsylvania Air Pollution Control Act (1960 P.L. 2119, 35 P.S. § 4001 et seq.).