

PIKE COUNTY COMMISSIONERS

PIKE COUNTY ADMINISTRATION BUILDING
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COMMISSIONERS



GARY R. ORBEN
CHIEF CLERK

THOMAS F. FARLEY, ESQUIRE
COUNTY SOLICITOR

RESOLUTION NO. 16-14 ESTABLISHING A BAN ON OPEN BURNING IN PIKE COUNTY

WHEREAS, the County Commissioners are desirous of providing for the health, safety and welfare of the people of Pike County; and

WHEREAS, because of record low stream levels, very low groundwater levels, drier than normal temperatures, with no significant rainfall being forecast, the county has been placed under a burn ban; and

WHEREAS, due to below normal rainfall over the past four months, there has been an increase in brush fires over the past several weeks, thereby keeping the wildfire potential very high throughout Pike County; and

WHEREAS, the District Forester, on behalf of the Department of Conservation and Natural Resources and the majority of the fire chiefs of Pike County's fire departments have expressed concern that this fire potential poses a serious and imminent threat to the life and property within Pike County; and

WHEREAS, emergency measures are required to reduce the severity of this danger in order to protect the health, safety, welfare and property of the residents of Pike County;

NOW, THEREFORE, we the undersigned Commissioners of Pike County, pursuant to the provisions of Act 1995-52 and Section 7501 of the Pennsylvania Emergency Management Services Code, (35 PA C.S.) as amended, do hereby establish a temporary 30-day county-wide ban on any and all open burning. This burn ban shall supersede any municipal ordinance to the contrary.

Open burning is hereby defined as the ignition and subsequent burning of any combustible material (garbage, leaves, grass, twigs, litter, paper, vegetative material involved with land clearing or any sort of debris) out-of-doors either in a burn barrel (screened or unscreened) or on the ground. The use of propane or gas stoves, charcoal briquette grills, or the use of tobacco in any form is not covered under this resolution. Camp fires, in designated state, federal or Department of Environmental Protection licensed campgrounds, are allowed in fire rings that confine and contain the campfire.

Enforcement of this ban shall be the responsibility of any sworn police officer, in accordance with the provisions of Act 1995-52. Specifically, any sworn police officer when available, including the Pennsylvania State Police, shall be responsible for enforcing the provisions of this act. Also, whenever a violation of this act occurs in a city, borough, incorporated town or township which has in effect an ordinance prohibiting open burning, the police officer may site the violation under either the municipal ordinance or the county resolution. Under no circumstances shall any person be cited for violations of both the county resolution and the municipal ordinance for the same violation.

PENALTY - A person who violates this resolution commits a summary offense and shall, upon conviction, be sentenced to a fine of not more than \$100.00 for the first offense, \$200.00 for the second offense and \$300.00 for the third and subsequent offense.

DURATION - The ban shall continue for 30 days from the effective date set forth unless terminated earlier by subsequent resolution.

FURTHER, we direct the Pike County Emergency Management Agency, to ensure the widespread publication and distribution of this burn ban resolution, to distribute notice thereof to all local radio, TV and newspapers and to maintain proof of distribution and of the manner and, frequency of publication, to coordinate the enforcement of this ban with all law enforcement agencies in accordance with Act 1995-52, i.e., to encourage their resort to filing or issuance of a citation where appropriate; to take all appropriate action needed to coordinate response to the dangers posed by the unusually dry conditions; and to take any other emergency management actions deemed necessary to respond to this imminent threat to the health, safety and welfare of the people of Pike County.

This declaration shall take effect at 12:00 a.m. on April 22, 2016.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Great Seal of the County of Pike to be affixed on this 22nd day of April, 2016.



BOARD OF COMMISSIONERS OF PIKE COUNTY

Matthew M Osterberg

Matthew M. Osterberg, Chairman

Richard A. Caridi

Richard A. Caridi, Vice Chairman

Steven R. Guccini

Steven R. Guccini, Commissioner

Attested:

Gary R. Orben

Gary R. Orben, Chief Clerk

April 22, 2016