

SHOHOLA TOWNSHIP
PIKE COUNTY, PA
ORDINANCE # 43

AN ORDINANCE TO REGULATE AND CONTROL BURNING AND AUTOMATIC FIRE ALARMS IN SHOHOLA TOWNSHIP

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Shohola, Pike County, Pennsylvania, by authority of same and pursuant to the authority granted to said Board of Supervisors by the Legislature of the Commonwealth of Pennsylvania as follows:

Article I. This Ordinance shall be known and may be cited as The Shohola Township Burning and Automatic Fire Alarm Ordinance.

Article II. This Ordinance is adopted for the purpose of promoting and protecting the public health, safety, welfare, and reasonable and comfortable use of property; and to prevent needless damage to life and property, and to limit nuisances which may result from uncontrolled and unrestricted burning in the Township of Shohola.

Article III

Section 301. No fire shall be set or maintained within twenty-five (25) feet of any building.

Section 302. No fire shall be set or maintained on any public road.

Section 303. No fire shall be set or maintained during any period when wind speed is such that it may cause the blowing of any burning material.

Section 304. A distance of ten (10) feet from the perimeter of any fire shall be maintained in such a manner as to be free of all leaves, brush, or other flammable material.

Section 305. A hose or other apparatus with sufficient capacity to extinguish a fire shall be provided before setting and while maintaining any fire.

Section 306. No fire shall be left unattended at any time.

Section 307. In advance of the setting or maintaining of any fire which shall extend over an area greater than twenty-five (25) square feet, notification shall be provided to the Shohola Volunteer Fire Department, Walker Lake Volunteer Fire Department, or the Pike County Communications Center.

Article IV. Nothing herein provided shall prohibit any burning conducted wholly within the confines of a dwelling when said burning is used for cooking purposes or for heating said structure.

Article VI. When, in the judgement of the Board of Supervisors of Shohola Township, drought, weather or other conditions present an unusual fire risk, said Board shall have the right to ban, by resolution, any or all outdoor burning within the Township.

Article VI. Any fire set, maintained, or permitted to burn in an unsafe manner, or under adverse weather conditions, or unsupervised, or otherwise in violation of this ordinance, may be extinguished as necessary by the Township or any recognized fire department therein.

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Article VII. Any person maintaining an automatic fire alarm shall register such alarm with the Township or its agent and shall maintain such alarm in working order. Should such automatic alarm malfunction to the extent that a false alarm is transmitted to the Pike County Communications Center and/or a recognized Fire Department, the owner of such automatic fire alarm shall provide, within twenty-four (24) hours, notification to the Township or Fire Department that said alarm has been either disconnected or serviced. A second false alarm transmitted by an automatic fire alarm within forty-eight (48) hours of a first false alarm shall constitute evidence of a violation of this Ordinance.

Article VIII. This Ordinance shall be enforced by the Township Board of Supervisors and/or any agent, employee or official as designated by said Board

Article IX. Any person, whether as principal or agent, who violates this Ordinance or assists or abets such violation, shall, upon conviction thereof in a summary proceeding before any Magistrate, be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than one thousand dollars (\$1000) together with the costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Pike County Prison for a period not exceeding thirty (30) days. Each violation shall constitute a separate offence, for which a summary conviction may be sought.

Article X. No penalty herein shall prevent the Township from enforcing this ordinance by equitable, injunctive, and other remedies of law.

Article XI. The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal, or invalid, such declaration shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

Article XII. All Ordinances and existing parts of Ordinances inconsistent herewith shall be and the same are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Article XIII. This Ordinance shall become effective immediately.

THIS ORDINANCE ORDAINED AND ENACTED THIS 12th DAY OF March, 1992, BY THE BOARD OF SUPERVISORS OF SHOHOLA TOWNSHIP

attest: [Signature]

[Signature]
[Signature]
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