

**BOROUGH OF MILLVALE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2525

**AN ORDINANCE OF THE BOROUGH OF MILLVALE, ALLEGHENY COUNTY,
COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE 1028 TO
ESTABLISH REGULATIONS AND TO PROVIDE FOR AN INCREASE IN THE FINE
AND /OR PENALTY FOR A VIOLATION OF SAID ORDINANCE FROM ONE
HUNDRED (\$100.00) DOLLARS UP TO ONE THOUSAND (\$1,000.00) DOLLARS.**

WHEREAS, Borough Council has instituted a well planned system of collecting garbage, rubbish, ashes, and other miscellaneous items and debris to the residents of said Borough; and,

WHEREAS, the Borough of Millvale community wherein the majority of the structures are of frame construction and have been erected very close together; and,

WHEREAS, the continued practice of some residents of said Borough of burning out of doors, paper, boxes, rubbish, leaves, and other miscellaneous items and debris, has, in the opinion of the Borough Council, constituted a pronounced hazard to the safety, health and welfare of the citizens of the said Borough; and,

WHEREAS, the officials of said Borough have received many complaints concerning the burning out of doors as set forth above; and,

WHEREAS, in the view of the foregoing items it is now deemed to be in the best interests of all the people of the said Borough of Millvale that the continued burning out of doors of any substance whatsoever be prohibited except for those provisions contained here within this amended ordinance.

NOW THEREFORE, be it ordained and enacted by the Mayor and Council of the Borough of Millvale, in Council assembled, and it is hereby ordained and enacted by the authority of the same:

Section I. COMPLIANCE REQUIRED.

It shall be unlawful for a person, firm, or corporation to burn or cause to be burned any papers, leaves, wood or other combustible materials upon any lot, yard, sidewalk, street or alley in any portion of the Borough of Millvale except in accordance with this ordinance.

Section II. OPEN BURN WITHOUT A PERMIT.

Open burning in the Borough shall be permitted without permit, if and only if;

A. For recreation, camping or a cookout:

- 1) Only dry clean wood products or other clean-burning fuels are burned;
- 2) Only smokeless fuels, if any, to start the fire;
- 3) The pile of material being burned is no larger than 12 square feet by 3 feet high;
- 4) The fire is at least 10 feet from the nearest structure, inhabited area, roadway, property line, or utility; and
- 5) There must be an adequate source of extinguishment for immediate use; and
- 6) The fire is attended at all times and completely extinguished when not attended.

B. For warmth of work crews: in addition to Section II. A

- 1) The burning is conducted in a noncombustible container no larger than a fifty-five gallon drum;
- 2) The material being burned is completely contained by the container;
- 3) Only one container is used for each work crew; and
- 4) The outside temperature is less than 40 degrees F.

Section III. CONSTRUAL OF PROVISIONS.

This ordinance shall not be construed to prevent the burning of other combustible materials, such as brush, tree limbs and demolition materials, in open fires under permit from the Bureau of Air Pollution Control of the Allegheny County Health Department, as provided for in the Allegheny County Health Department Rules and Regulations, Article XXI, Section 2105.50, as amended.

Section IV. VIOLATIONS AND PENALTIES.

Any persons, firm, corporation or group of individuals found in violation of this ordinance shall, upon conviction thereof before any issuing authority, be subject to a fine, not less than One Hundred (\$100.00) Dollars nor more than One Thousand (\$1,000.00) Dollars plus the costs of prosecution and may be sentenced to a period of incarceration not exceeding 30 days in the Allegheny County Jail. Each incident in violation of this ordinance shall be considered a separate offense and may be punishable as such.

ORDIANED AND ENACTED into law this 10th day of July, 2012

ATTESTED:

By: *Patricia Kuchta*
_____, Secretary

BOROUGH OF MILLYVALE

By: *Polly Grimpe*
Polly Grimpe, President of Council

EXAMINED AND APPROVED as to form this 10th day of July, 2012.

By *Vince Cinski*
Vince Cinski, Mayor