

**JACKSON TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2000 - 100

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF MONROE,
COMMONWEALTH OF PENNSYLVANIA, REGULATING OUTDOOR BURNING.**

WHEREAS, the Board of Supervisors of Jackson Township ("Supervisors") deem it to be in the best interests, and for the general welfare and safety, of the citizens and residents of Jackson Township ("Township") to regulate the hours and manner of outdoor burning in the Township.

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Board of Supervisors of Jackson Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1. Title: This Ordinance shall be known and may be cited as the "Jackson Township Outdoor Burning Regulation Ordinance."

SECTION 2. Burning Times and Conditions; Exceptions.

- A. Outdoor burning may be kindled or maintained during the following days and times:

Days	Hours Permitted
Monday through Friday	9:00 A.M. to 8:00 P.M.
Saturday	9:00 A.M. to 5:00 P.M.
Sunday	Not Permitted
Labor Day, Memorial Day, July 4 th	Not Permitted

- B. Subject to the time regulations above, outdoor burning shall be permitted upon private property in the Township under and subject to the following conditions:
1. All fires must be attended at all times by a responsible adult with a readily available means of extinguishing the fire.
 2. No fire shall be started or maintained unless confined within a noncombustible container covered with a noncombustible mesh screen having one (1) inch or smaller mesh.
- C. Nothing herein shall be construed to prohibit the use of family-size outdoor barbeque equipment for household cooking purposes when any flame is properly confined, supervised and extinguished.

- D. Notwithstanding anything herein to the contrary, the open burning of leaves and/or brush on private lands with the consent of the landowner or the person in charge of the property is permitted during the following times:
1. Monday through Saturday: 6 A.M. to 8 P.M.
 2. Sunday: Not Permitted

SECTION 3. Enforcement; Penalties; No Municipal Liability.

- A. This Ordinance shall be enforced by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, partnership, corporation or other entity who or which violates or permits a violation of the provisions of this Ordinance shall, upon conviction in a summary proceeding, pay a fine of not more than One Thousand and 00/100 (\$1,000.00) Dollars per violation and/or be imprisoned to the extent allowed by law for the punishment of summary offenses. Each day or portion thereof that a violation exists or continues shall constitute a separate violation. Each section of this Ordinance that is violated shall also constitute a separate violation. Further, the appropriate officers or agents of Jackson Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance with this Ordinance. All fines, penalties, costs and reasonable attorney's fees collected for the violation of this Ordinance shall be paid to Jackson Township for its general use.
- B. The Township and its agents, officials and/or representatives shall not under any circumstance be liable or responsible for injuries or damages caused to any person or property by reason of the conduct of any burning activity in compliance or noncompliance with the terms and provisions hereof. The person(s), partnership or corporation responsible for any such fire shall bear sole liability for any injury or damage caused as a result of such fire.


SECTION 4. Severability. The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be found to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

SECTION 5. Repealer. All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect five (5) days after the date of its enactment.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Jackson Township, Monroe County, Pennsylvania, this 9th day of November, 2000.

**BOARD OF SUPERVISORS OF
JACKSON TOWNSHIP**



Jack B. Rader, Jr., Chairman

(Township Seal)

Donald C. Kresge, Sr., Vice Chairman



Marjorie Gower, Supervisor