SPRING TOWNSHIP PERRY COUNTY, PENNSYLVANIA
ORDINANCE NO. 2026-01

AN ORDINANCE OF SPRING TOWNSHIP, PERRY COUNTY, PENNSYLVANIA, IMPOSING A TEMPORARY BURN BAN AND REGULATING OPEN BURNING DURING DECLARED EMERGENCIES

WHEREAS, the Board of Supervisors of Spring Township is authorized under the Pennsylvania Second Class Township Code and applicable state law to enact ordinances necessary for the protection of health, safety and welfare of the public; and

WHEREAS, periods of dry weather, drought, high winds or other hazardous conditions significantly increase the risk of uncontrolled fires, threatening life, property, and natural resources; and

WHEREAS, the Township desires to temporarily prohibit open burning during such hazardous conditions to protect public safety.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Spring Township, Perry County, Pennsylvania, as follows:

SECTION 1. TITLE
The Ordinance shall be known and may be cited as the “Spring Township Burn Ban Ordinance”.

SECTION 2. DEFINITIONS
For the purposes of this Ordinance, the following terms shall have the meanings indicated:

OPEN BURNING - The ignition and burning of any combustible material outdoors, including but not limited to brush, leaves, grass, rubbish, trash, construction debris, or other waste material, where the products are emitted directly into the atmosphere without passing through a stack or chimney.

BURN BAN - A temporary prohibition on open burning declared pursuant to this Ordinance.

EMERGENCY CONDITIONS - Environmental or weather-related circumstances including, but not limited to, drought, excessive dryness, high winds or wildfire danger, as determined by the Township, the Pennsylvania Department of Conservation and Natural Resources (DCNR), or the Pennsylvania Department of Environmental Protection (DEP).

SECTION 3. AUTHORITY TO DECLARE A BURN BAN

A Burn Ban may be declared by:

1. The Board of Supervisors by majority vote at a publicly advertised meeting; or
2. The Chair of the Board of Supervisors, subject to ratification by the Board at its next public meeting; or
3. The Township Emergency Management Coordinator when emergency conditions exist, subject to ratification by the Board at its next public meeting.

The declaration shall specify the effective date, geographic scope, and duration of the Burn Ban.

SECTION 4. PROHIBITED ACTIVITIES

During the declared Burn Ban, the following activities are **strictly prohibited:**

1. Open burning of any kind, including recreational fires, bonfires, and ceremonial fires;
2. Burning of brush, leaves, yard waste, garbage, or construction debris;
3. Use of outdoor fire pits, chimineas, or similar devices that burn solid fuel.

SECTION 5. EXEMPTIONS

The following activities are **exempt**, unless specifically prohibited in the Burn Ban declaration:

1. Fires or activities authorized by the Township or emergency services for training or public safety purposes;
2. Use of gas-fueled or electric cooking appliances;
3. Activities specifically permitted by the Pennsylvania DEP and conducted in compliance with all applicable regulations.

SECTION 6. ENFORCEMENT

This Ordinance shall be enforced by:

1. Code Enforcement Officer;
2. Fire Company Chief or Assistant Chief;
3. DCNR Forest Fire Warden;
4. Other Township officials designated by the Board of Supervisors.

Any authorized official, as listed above, may order the **immediate extinguishment** of any fire in violation of this Ordinance.

SECTION 7. PENALTIES

Any person who violates this Ordinance shall, upon conviction before a Magisterial District Justice, be subject to:

1. A fine **not less than $100.00 nor more than $1,000.00,** plus costs of prosecution;
2. Each day a violation continues shall constitute a separate offense.

Nothing herein shall limit the Township's ability to seek equitable relief or recover firefighting or emergency response costs.

SECTION 8. SEVERABILITY

If any section, clause, or provision of this Ordinance is declared invalid, such decision shall not affect the validity of the remaining provisions

SECTION 9. REPEALER
All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed insofar as they conflict.

SECTION 10. EFFECTIVE DATE

This Ordinance shall take effect **five (5) days after enactment**, as provided by law.

ENACTED AND ORDAINED this _____ day of _____, 2026.

Spring Township Board of Supervisors

_____

Joshua Kirk, Chairman

_____

Nathan Cleland, Vice-Chairman

_____

Jonette Zeigler, Supervisor

Attest:

_____

Wendy Campbell, Township Secretary