

TOWNSHIP OF CENTRE  
BERKS COUNTY, PENNSYLVANIA

ORDINANCE # 132-2010

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY,  
PROHIBITING OPEN BURNING EXCEPT AS ENUMERATED HEREIN,  
AND SETTING FORTH PENALTIES FOR VIOLATION

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Centre, Berks County, Pennsylvania (hereinafter "Township"), and it is hereby ENACTED AND ORDAINED by the authority of the same, as follows:

**Section 1. Open Burning Prohibited.** There shall be no open burning of any materials in the Township of Centre except as set forth herein.

**Section 2. General Fire Restrictions.**

(a) It shall be unlawful for any fire to be set or maintained within fifty (50') of any structure or property line within the Township, in the Zoning District B/VC as identified on the Official Zoning Map of Centre Township, Berks County, Pennsylvania, Adopted 10/11/04 and Effective 11/10/04, except for fires contained within outdoor fireplaces (e.g. chimineas) and/or outdoor cooking appliances (e.g. charcoal or gas grills), which are subject to the following restrictions:

(1) All outdoor fireplaces and/or outdoor cooking appliances shall be set at least five feet (5') from any structure, vertically as well as horizontally.

(2) All outdoor cooking appliances shall be set at least fifteen feet (15') from any boundary line.

(3) All outdoor cooking appliances shall only be fueled by charcoal, wood, and/or propane gas. No other materials may be utilized as fuel or burned in an approved outdoor fireplace or outdoor cooking appliance.

(4) All other restrictions contained in Section 2.

(b) No fire shall be set or maintained on any public road or public property within the Township.

(c) No fire shall be set or maintained which may endanger any building or property, except where such building or property is used by a fire department for training purposes.

(d) Any fire permitted by this Ordinance shall be maintained and attended by a competent adult who shall have an approved fire extinguisher readily available.

(e) Any person, partnership, corporation or other entity who or which starts or maintains a fire in the Township shall be fully liable to any property owner who sustains damages to his property as a result of the negligence of said person, partnership or corporation.

(f) No hazardous materials or hazardous wastes of any kind may be burned within the Township.

(g) No conditions which are deemed by the Township to be hazardous to human health or otherwise dangerous or objectionable shall be created by such burning.

(h) When smoke and/or ash emission are or may be objectionable, offensive or deleterious to human or animal health or permeate or crosses neighboring properties, and/or falls on buildings, vehicles or vegetation.

(i) When weather conditions, including but not limited to extreme dry conditions or drought warrant a ban on all burning, and a state-wide; regional; county-wide; or Township-wide drought emergency is declared.

**Section 3. Open Burning Permitted.** The provisions of Section 2(a) of this Ordinance shall not apply to burning in the Zoning Districts A-P, R-1, R-2, PC, and LI, as identified on the Official Zoning Map of Centre Township, Berks County, Pennsylvania, Adopted 10/11/04 and Effective 11/10/04, provided that burning occurs at least fifty (50) feet from the property line and such burning is subject to the restrictions set forth in Section 2(b)-(i).

**Section 4. Penalties.** Any person violating any of the provisions of this Ordinance or neglecting to comply with any order or notice issued pursuant hereto for violation of any section hereto, shall upon conviction before any District Justice, be subject to the payment of a fine of not less than three hundred dollars (\$300.00) or more than one thousand dollars (\$1,000.00) and the payment of costs of prosecution for each offense, or shall be subject to imprisonment for a period not exceeding thirty days (30) days. Each day's continuance of any violation of this Ordinance shall constitute a separate offense, punishable by a like fine and imprisonment in default of payment thereof.

**Section 5. Severability.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 6. Repealer Clause.** All Ordinances or parts of Ordinances or Resolutions conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 7. Public Safety.** It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

**Section 8. Effective Date.** This Ordinance shall become effective five (5) days after its adoption.

ENACTED AND ORDAINED into an Ordinance this 12 day of July 2010.

TOWNSHIP OF CENTRE

By: *Sam L. L. L.*  
Supervisor

By: *Cliff West*  
Supervisor

By: *L. J. Schepel*  
Supervisor

Attest: *Stelvia D. D.* (SEAL)  
Secretary

