

CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

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Part 1

Banning Outdoor Fires

§101. Statement of Purpose. The Supervisors recognize that certain weather and other conditions such as drought or other emergencies would make outdoor burning hazardous to the health, safety and welfare of residents of Lower Oxford Township. The Supervisors further recognize that because of the nature of the emergency there may be insufficient time for the advertising of a special meeting of the Board of Supervisors of Lower Oxford Township in order to enact and place a ban on all outdoor burning in Lower Oxford Township for so long as the drought or other emergency condition exists. (Ord. 8-1999, 10/13/1999)

§102. Enforceable Provisions.

1. The Board of Supervisors of Lower Oxford Township hereby establishes a procedure for the enactment of a ban on outdoor burning should such emergency occur without the requirement of an advertised special meeting.

2. The Supervisors shall by declaring an emergency situation in the Township, and as a part of that declaration of emergency, place a ban on outdoor burning. The notice of the ban shall be by newspaper advertisement, radio announcement, public notice on cable television stations and other means reasonably calculated to bring the information concerning the open ban to the attention of the residents of Lower Oxford Township.

3. At the next publically scheduled meeting the Supervisors shall confirm their act and make a determination of the approximate period of time of the continuing emergency and the continuation of the ban. The ban shall be lifted by action of the Board of Supervisors at either their regularly scheduled public meeting or an advertised public meeting.

(Ord. 8-1999, 10/13/1999)

§103. Penalty and Enforcement Provisions.

1. Within the first ten (10) days of the establishment of the ban on burning within Lower Oxford Township, any individual designated by the Township Supervisors to enforce the ban shall give notice to persons practicing open burning of the ban with no penalty attached to the notice. A record shall be kept of all such notices and any person who violates the ban a second time will be subject to the penalty as established below.

2. After the initial ten (10) day period, any person discovered violating the ban on open burning will be assessed a civil enforcement penalty in the amount of twenty-five dollars (\$25.00), for the first notification of violation of the open burning ordinance.

3. Any person who receives a second notice during the open burning ban emergency shall be assessed a civil penalty in the amount of three hundred dollars (\$300.00). That sum shall be payable to Lower Oxford Township.

4. Any person who fails to pay the penalty directly to the Township shall be given notice that the Township will proceed in an enforcement action against them before the local District Justice for the collection of the penalty for violation of this Part as well as the costs of service and filing costs.

(Ord. 8-1999, 10/13/1999)

Part 2

Fire and Emergency Safety Inspection

§201. Fire and Emergency Safety Inspection.

1. Each property with improvements at the time of transfer shall be charged a fee for a fire and emergency safety inspection. The fee shall be established by a separate resolution. Based upon this schedule, a donation to the Union Fire Company No. 1 Endowment Fund shall be required for each inspection permit issued as itemized below.

2. Agricultural Properties. All agricultural buildings and lots shall be exempt from this charge.

3. Accessory buildings and additions to existing structures are exempt.

4. Issuance of a Fire and Emergency Safety Inspection Permit for Existing Structures and Lots.

A. Each property shall be certified that its use complies with the provisions of this Part prior to the property being transferred. The property shall be inspected as to the existence of and the presence of operational smoke detectors in all buildings and reflective street numbers in compliance with 911 requirements placed appropriately on buildings and at driveway entrances.

B. For properties on which structures are to be constructed but not being transferred, the inspection shall be performed prior to the issuance of an occupancy permit.

5. The fee for this inspection and certificate shall be established by a separate fee schedule. A portion of each fire and emergency safety inspection permit for existing buildings shall include a donation to the Union Fire Company No. 1 Endowment Fund and shall be maintained within that fund under the restrictions therein.

(Ord. 1-2001, 4/11/2001)

