

## Jefferson Township Fire Ordinance

The Jefferson Township Board of Supervisors has adopted the following Fire Ordinance at a meeting of the Board, held on March 04, 1974 and is being re-published at the request of the Jefferson Township Fire Company as information for the citizens of Jefferson Township.

This Fire Ordinance is in effect and is as follows:

An ordinance regulating and restricting outdoor fires within the Township of Jefferson, Lackawanna County, PA and prescribing penalties for violation thereof, enacted under the authority of the Second-Class Township code, 55 Purd. Stat. Section 65732 (1933, May 1, P.I. 103 Article VII, Section 702, CXIII, added 1947, July 10 P.I. 14.1 Section 9, as amended 1953, July 10 P.I. 354, Section 9)

The Township of Jefferson, Lackawanna County hereby ordains as follows:

### Section I:

No person or persons shall set or maintain any fires upon any streets, sidewalks, alleys or public grounds in the Township of Jefferson, or burn or cause to be burned thereon any paper, boxes, rubbish, leaves or any other combustible material or substance of any kind.

### Section II:

Outdoor fires shall be permitted upon private property, provided the following regulations and restrictions are strictly adhered to. Every such fire shall be built-in and confined to a non-combustible container, covered with a screen or other non-combustible cover. No such fire shall be closer than **Fifty** (50) feet from **ANY** structure, be it a house, barn, shed, garage, trailer, or other building utilized in connection with the dwelling, and such fire shall be allowed upon a location, the area which shall have been cleared of any and all combustible material for at least **Thirty** (30) feet. Fires will **NOT** be allowed from 7:00 AM to 4:00 PM DST. Fires will be allowed on Saturday and Sunday from 7:00 AM to 8:00 PM DST and from 7:00 AM to 5:00 PM EST. All fires shall be attended by a person at least **Eighteen** (18) years of age until danger of such fire or ashes thereof from spreading has ceased.

### Section III:

Any person who shall violate or fail to conform to any provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than **Fifty** (50) dollars and costs or prosecution. Any person in default of payment of such fine and costs shall be imprisoned for not more than **Ten** (10) days.

### Section IV:

The Fire Chief of Jefferson Township, may authorize a variance of this ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of this ordinance will result in an unnecessary hardship, so that the spirit of this ordinance shall be observed and substantial justice done. There applicant has the burden of providing such permission. The Fire Chief may set forth additional conditions and regulations to safeguard or protect the public interest or which he shall deem proper for the health, safety, cleanliness, or general welfare of the public, particularly those in close proximity to the site for which permission has been granted. The applicant shall have the duty of making provision for said additional conditions and regulations. Violation of such condition or regulation shall result in an automatic revocation of the permission and said violator shall be subject to all the provisions of this ordinance, including the penalties provided in Section III. Within **Seven** (7) days an appeal may be filed with the Board by the applicant, or other adversely affected person. Said appeal shall be determined by a majority vote of the Board present at a meeting duly convened when a quorum is present. If any provision of this Section IV is declared invalid, illegal, of unconstitutional or void then the entire Section IV shall be void, by such determination shall **NOT** affect any other provisions of this ordinance as such other provisions would have been enacted notwithstanding said determination.

### Section V:

In addition to all those who may be law and the authority to enforce and/or prosecute, it is specifically designated that the **Fire Chief** shall have such authority and duty.

Board of Supervisors  
Township of Jefferson  
Lackawanna County, PA