

**ORDINANCE NO. 128**

**TOWNSHIP OF BUFFALO  
BUTLER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF BUFFALO, COUNTY OF BUTLER,  
COMMONWEALTH OF PENNSYLVANIA, PROHIBITING BURNING  
DURING CERTAIN HOURS AND REQUIRING PERMITS IN CERTAIN  
INSTANCES, AND FIXING THE PENALTY THEREFORE.**

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Buffalo, Butler County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

**SECTION 1.** It shall be unlawful for any person or persons to kindle or burn or permit to remain burning any fire upon any public premises, lot, street, alley, road or other public land within the limits of the Township of Buffalo. It shall further be unlawful for any person or persons to burn any recyclable materials designated for collection.

**SECTION 2.** Any person or persons wishing to burn rubbish upon any private premises, lot, street or alley within the limits of the Township of Buffalo may do so only between the hours of 8:00 A.M. and 10:00 A.M., and the hours of 6:00 P.M. and 8:00 P.M. Burning during any other hours shall require a permit from the Township. Rubbish, for purposes of this Ordinance, is defined as combustible materials limited to wood, cardboard and paper and specifically excludes leaf waste. The term "leaf waste" includes leaves, garden residues, shrubbery, tree trimmings consisting of leaves, and similar materials, excluding grass. All leaf waste must be composted, mulched, or collected and shall not be burned. Twigs, tree branches, tree limbs, stumps, logs, and clearing waste are considered rubbish and not leaf waste. The burning of any materials other than rubbish shall constitute a violation of this Ordinance. No person or persons may kindle, burn or permit to remain burning any open air fire incident to construction, demolition, or other such related activities without first obtaining a permit for the same, which permit shall have been issued by the Township Supervisors, by order of the Chairman or other person authorized by the Chairman.

**SECTION 3.** It shall be unlawful for any person or persons to kindle, burn or to permit to remain burning any fire pursuant to Section 2 unless such fire is:

- (a) Located not less than thirty (30) feet from any building or structure and adequate provisions have been made to prevent the fire from spreading to within thirty (30) feet of any building or structure; or
- (b) The fire is contained in a non-combustible container covered with a screen of half (1/2) inch or smaller mesh and located no less than ten (10) feet from any building or structure.

**SECTION 4.** The right to burn rubbish during the hours set forth in Section 2 of this Ordinance shall be subject to the further condition that:

- (a) It shall be unlawful to kindle, burn or to permit to remain burning any fire during any hours of any day designated as a Sunday or as a holiday, including any instances wherein a permit has been issued for such

a day;

- (b) All fires shall be constantly attended by a competent person equipped with a garden hose or other fire extinguishing equipment, ready for use, until such fire is extinguished;
- (c) No fire shall be kindled when wind or other factors are such as to cause a hazardous or unsafe condition;
- (d) No fire shall be kindled unless any person or persons starting such fire have the manpower and/or equipment to readily extinguish the fire if, for any reason, such extinguishment becomes necessary; and
- (e) The Township Supervisors may, in their discretion, impose temporary bans on all burning within the Township if and when necessary for the health, safety, and welfare of the residents, and impose fines upon violators in amounts not to exceed \$100.00.


**SECTION 5.** It shall be unlawful for any person to kindle or maintain a fire to burn off grass and/or weeds in any field in the Township of Buffalo, when high wind is blowing, or when there are not enough persons present and/or sufficient equipment for extinguishing such fire to prevent the fire from getting out of control. It shall further be unlawful for any person or persons to kindle or maintain such a fire without first obtaining a permit.

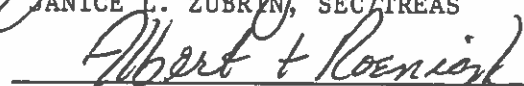
**SECTION 6.** Any person, firm, or corporation violating any provision of this Ordinance shall, upon conviction before any District Justice of said district of the Township of Buffalo, be subject to a fine of not less than \$25.00 and not more than \$100.00, to be collected as other fines are collected by law, and in case of default of payment, to undergo imprisonment in the County Jail for a period not to exceed ninety (90) days.

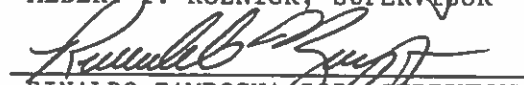
**SECTION 7.** Nothing in this Ordinance shall be construed to affect or alter the statewide recycling requirements for all commercial, municipal and institutional establishments.

**ORDAINED AND ENACTED INTO LAW** by the Board of Supervisors of the Township of Buffalo, Butler County, Pennsylvania, this 12th day of March, 2014.


ATTEST:


  
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JANICE L. ZUBRIN, SEC./TREAS

  
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ALBERT T. ROENICK, SUPERVISOR

  
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RINALDO ZAMOGNA, III, SUPERVISOR

  
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JOHN K. HAVEN, CHAIRMAN

  
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MATTHEW J. SWEENEY, VICE-CHAIRMAN

  
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GARY L. RISCH, SR., SUPERVISOR