

**EXETER TOWNSHIP  
BOARD OF SUPERVISORS  
BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA, AMENDING ORDINANCE # 476. PROMOTING THE HEALTH, SAFETY AND GENERAL WELFARE OF EXETER TOWNSHIP BY REGULATING OPEN BURNING AND, OR OUTDOOR FIRES AND REGULATING BONFIRES, OUTDOOR FIREPLACES, INDOOR FIREPLACES, INDOOR WOOD BURNING AND COAL STOVES, INCINERATORS, HANDLING OF ASHES AND COMBUSTIBLE RUBBISH AND PROVIDING THE ENFORCEMENT THEREOF.**

**BE IT AND ORDAINED** by the Board of Supervisors of the Township of Exeter, Berks County, Pennsylvania, and it is hereby **ENACTED AND ORDAINED** by the authority of the same, as follows:

**ARTICLE I. DEFINITIONS**

For the purposes of this Ordinance, the following terms shall be defined as set forth below, unless a different meaning is plainly required by the context.

- 1.01 “PERSON” shall mean any natural person, partnership, firm, association or corporation.
- 1.02 “ORGANIC MATERIAL” shall mean material derived from living organisms such as wood, paper and yard scraps.
- 1.03 “NON-ORGANIC MATERIAL” shall mean material derived or formed from inanimate objects, other than vegetable, such as tin cans, glass crockery, metals, plastic and similar materials.
- 1.04 “BRUSH” shall mean bushes, shrubs, thickets, tree trimmings, hedge clippings and small trees.
- 1.05 “OPEN BURNING” shall mean burning any material in the open atmosphere, including burning in 55-gallon drums, outdoor fireplaces or other containers.
- 1.06 “RECYCLABLE” shall mean any material that is required to be recycled in Exeter Township under the Pennsylvania Act 101, including scrap lumber (non-treated/painted) and brush.

**ARTICLE II. OPEN FIRES AND OUTDOOR FIRES**

- 2.01 It shall be unlawful for any person to open burn any material, including the following at any time in any zone within Exeter Township.

Household trash, books magazines, newspapers, cardboard and/or any items that are required to be recycled in Exeter Township under the Pennsylvania Act 101, including brush and scrap lumber or any vegetation, plywood, drywall plastic products, insulation material, upholstered furniture, garbage, dead animals, human and animal excrement, human and animal hair, rubber products including tires, hydrocarbon products or flammable liquids, asphalt or tar shingles or roofing materials, bedding, foam rubber, nylon, rayon, cotton, wool, polyester or other synthetic material, insulation from copper or other wiring, solid waste and/or construction waste as defined by the Pennsylvania Solid Waste Management Act and 25 PA Code 271.1.

EXCEPT where fire or burning operations result from:

- A. Any fire set for the purpose of training and instructing authorized personnel in fire fighting, and training of persons in the use of portable fire extinguishers. (permit required)
- B. Any campfire or bon-fire solely for organized recreational or ceremonial purposes. (permit required)
- C. Any fire set for the prevention and/or control of disease of pests, rats, snakes, bees, etc. (permit required)
- D. Any fire set to keep persons warm at a building construction site, public gathering or other outdoor function, when in the Fire Marshal's opinion, it does not create a fire hazard. Fire must be containerized and only wood may be burned. (permit required)
- E. The burning of ONLY brush, exclusively for agricultural management and conservation practices & protection, and provided burning is located 100 feet or more from any building or structure. Brush must originate from the same property (permit required)

2.02 The Fire Marshal, his Assistant Fire Marshals', a Police Officer or Code Enforcement Officer may suspend the above regulations at any time when the following conditions exist:

- A. 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.
- B. When extreme dry conditions or drought warrant a ban on all burning.