

## ORDINANCE 2006-4

### **AN ORDINANCE OF THE BOROUGH OF DILLSBURG, YORK COUNTY, PENNSYLVANIA, RESCINDING ARTICLE IX, SECTION 900 (D) OF THE CONSOLIDATED ORDINANCE NO. 144, ORDINANCE 1988-2, SECTIONS 900 (G), 907 (B), 907 (D) AND 907 (J) AND ORDINANCE 2000-3 AND MAKING IT UNLAWFUL TO BURN WITHIN THE BOROUGH.**

**WHEREAS**, the Council of the Borough of Dillsburg wishes to rescind Article IX, Section 900 (D) of Ordinance No.144, Ordinance 1988-2, Sections 900 (G), 907 (B), 907 (D) and 907 (J) and Ordinance 2000-3;

**BE IT ENACTED AND ORDAINED** by the Council of the Borough of Dillsburg, York County, Pennsylvania, as follows:

#### Section 1

It shall be and is hereby declared to be unlawful for any individual, partnership, corporation or other entity to burn or permit to be burned any substances or maintain or permit to be maintained any fire out-of-doors upon any tract of land or public street, road, highway, sidewalk, park or other public place or ground within the Borough of Dillsburg, except where fire or burning operations result for the purpose of training and instructing authorized personnel in firefighting, and training of persons in the use of portable fire extinguishers. For fire training, approvals and permits must be obtained from the State of Pennsylvania and the Borough of Dillsburg thereafter. Notwithstanding, outdoor fire shall be permitted to cook food for human consumption provided the fire is confined to a fire ring, fireplace, charcoal or gas grill or other similar fireproof container.

#### Section 2. Exceptions:

Council may make an exception for and grant a special permit to a public event that has obtained the pre-approval of Council and has applied for a Public Assemblage permit.

#### Section 3. Penalties:

Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

Section 4. Enforcement:

The Borough Manager, Borough Code Officer or any Officer of the Police Department contracted by the Borough is hereby authorized to act on behalf of the Borough.

Section 5. Repealer:

All ordinances or any parts thereof which are inconsistent herewith are hereby repealed.

Section 6. Severability:

If any provision, sentence, clause, section, or any 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 Borough Council, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision, sentence, clause, section, or part thereof not have been included herein.

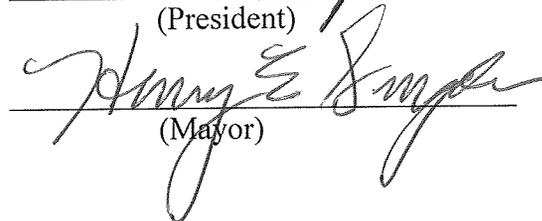
**THIS ORDINANCE** shall become effective May 1, 2006.

**DULY ENACTED AND ORDAINED** this 11 day of April 2006.

ATTEST:

  
\_\_\_\_\_  
(Secretary)

  
\_\_\_\_\_  
(President)

  
\_\_\_\_\_  
(Mayor)