

ORDINANCE NO. 2 OF 2020

AN ORDINANCE OF NEWPORT TOWNSHIP REGULATING THE
CARRYING OUT OF BURNING WITHIN THE TOWNSHIP

WHEREAS, Newport Township is desirous of preserving the health, safety and welfare of its citizens; and

WHEREAS, Newport Township citizens have submitted a number of complaints regarding burning without outdoor burning within the Township and whereby the Township believes it is in the best interest of its citizenry to regulate this activity;

BE IT ORDAINED AND ENACTED by the Township of Newport, Luzerne County, Pennsylvania as follows:

The transportation of trash, refuse, and materials of any type onto residential, business, or commercial property in the Township of Newport for the purpose of burning is prohibited. The burning of materials within the Township of Newport is limited to burning on the property only by the resident or owner of the property who shall be at least eighteen (18) years of age, and who shall be present to oversee or supervise the burning at all times. Burning of any material which emits excessive smoke or particles and/or detectable malodors being omitted from the property where the burning is taking place is prohibited. Burning of any kind that result in the emission of noxious fumes or burning embers is prohibited. Burning of any kind during non-daylight hours is prohibited. Any Burning within forty (40') feet of an adjacent dwelling is prohibited.

Any fire set by, or pursuant to, the direction and/or supervision of a public officer; fires that are part of training for firefighting; when approved by the Township Commissioners shall not be subject to this regulation.

Fires for the sole purpose of cooking food on charcoal grills, gas grills, or cooking devises designed to enclose the fire source are exempt from this regulation.

Patio and backyard fire pits fired by natural or bottled gas are exempt from this regulation.

Additionally, nothing stated herein shall prevent the Commonwealth of Pennsylvania, Luzerne County or Newport Township, or any designated public agency to bar burning of any kind during emergency, drought emergencies, drought conditions, or other similar conditions.

Penalties. Any person in violation of this Ordinance shall be guilty of a summary offense and upon conviction shall pay a fine not to exceed three hundred dollars (\$300.00) and/or undergo confinement in Luzerne County Correctional Facility for a period of no longer than ninety (90) days.

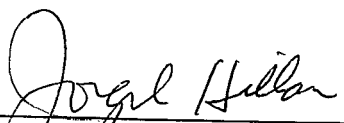
Repealer. All Ordinances or pans of ordinances in conflict in conflict herewith be and the same are hereby repealed.

Severability. If any portion of this ordinance, or its application to any person or circumstances, is held invalid, the validity of the ordinance as a whole, or any other portion thereof, or the application of the provisions to other persons or circumstances is not affected.


Effective Date. This Ordinance shall take effect immediately upon adoption.

DULY ENACTED AND ORDAINED this 2nd day of MARCH, 2020, in public session duly assembled.

NEWPORT TOWNSHIP



Secretary



President of Commissioners