

Paradise Township, York County  
Pennsylvania



Open Burn Permit

Chapter #7: Part #1 Outdoor Burning, #103 Permit

Date: \_\_\_\_\_

Property Owner/Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Material to be burned: \_\_\_\_\_

Location on property that burning is to take place: \_\_\_\_\_

Open fires shall not be allowed any closer than one hundred (100) feet from any structure.  
And all fires must be under the direct control of an adult individual.

Residential

Agricultural

Commercial

Burn permit shall be valid for a period of ten (10) days. from the date of issuance thereof.

\_\_\_\_\_  
Signature of Applicant/Property Owner

**Any changes, modifications or relocating will void permit**

**All persons maintaining any fire must notify York County  
Control at 911 and inform them of the date and location of all  
outdoor burnings.**

Date Permit Approved \_\_\_\_\_ By \_\_\_\_\_

Paradise Burn Permits shall not create a liability on the part of Paradise Township or any official or employee thereof for any damages that result from reliance on this part or any registration required hereunder or any administrative decision made hereunder.

## Part 1

## Outdoor Burning

§101. Outdoor Fires Prohibited. A person, firm, association or corporation shall not set or maintain any fire upon any of the streets, sidewalks, alleys, public grounds or any other privately owned ground in the Township of Paradise, or burn or cause to be burned thereon any paper, boxes, rubbish, leaves or any other kind of substance, nor shall any person or persons set or maintain any fire, burn or cause to be burned any substance or materials of any kind out of doors anywhere in Paradise Township except as set forth in §§102 and 103, herein, and as conditioned by the regulations set forth in §104 herein. (Ord. 92-4, 5/11/1992, §101)

§102. Exceptions and Conditions. The following out of door fires shall be allowed, as set forth below, but shall be limited by the conditions set forth below in §104:

A. Out of door fires of household products such as paper, cardboard, packaging material or similar non-toxic substances may be burned any time during daylight hours in a non-combustible container which must be thirty (30) gallons or larger and must be covered with a small mesh\* screen of one-half (1/2) inch square or smaller or other protective material. Said container must be located at least twenty (20) feet from any structure. Said fire must be under the direct control at all times of an adult individual.

B. Campfires for warmth, fellowship, food preparation or ceremonial purposes by bona fide groups of individuals not to exceed one hundred (100) person such as home camps or public organizations such as Boy Scouts or Girl Scouts shall be allowed provided such fires must be under the direct control of adults and such fires must be contained or placed in a safe, private area.

C. Open fires shall be allowed in any zone on lots larger than seventy thousand (70,000) square feet. Such fire must be located at least one hundred (100) feet from any structure and must be under the direct control of an adult individual.

D. Fires set in performance of public duty by any fireman or public official for official purposes shall be allowed.

(Ord. 92-4, 5/11/1992, §102)

§103. Permit.

1. A burn permit to kindle and maintain an open fire not described in the exceptions set forth in §102 may be issued by the Paradise Township Zoning Office upon application; provided, that said application meets the conditions which shall be outlined on the application form.

2. The burn permit shall be valid for a period of ten (10) days from the date of issuance thereof.

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\*Ord. 92-4 reads "mess."

3. Each applicant for a burn permit shall pay a fee to the Township Zoning Officer for each such permit in such an amount as shall be set by the Board of Supervisors by resolution from time to time, said payment to be made at the time that the permit is issued.

4. This Part shall not create liability on the part of Paradise Township or any official or employee thereof for any damages that result from reliance on this Part or any registration required hereunder or any administrative decision made hereunder.

(Ord. 92-4, 5/11/1992, §103)

§104. Regulations. The following regulations shall be applicable to all fires allowed in §§102 and 103:

A. All persons maintaining any fire must notify York County Control at 911 and inform them of the date and location of all outdoor burnings. The fires exceted pursuant to §§102(A) and 102(D) shall be exempt from this condition.

B. No person or persons shall set or maintain any fire or burn or cause to burn any substance or material of any kindout of doors anywhere in Paradise Township except from one-half (1/2) hour after sunrise to one-half (1/2) hour before sunset. Any fires still burning at sunset or dark must be extinguished by water or chemical extinguisher. The campfire exception set forth in §102(B), above, shall be except from this condition.

C. No garbage or offal may be burned at any time either indoors or outdoors.

D. Paradise Township shall reserve the right to place a burning banor to impose a burning ban in compliance with any order or other directive from the Commonwealth of Pennsylvania or York County.

(Ord. 92-4, 5/11/1992, §104)

§105. Enforcement. The Township Zoning Officer, the Emergency Management Director or the acting Police Department for Paradise Township shall enforce the provisions of this Part.

(Ord. 92-4, 5/11/1992, §105; as amended by Ord. 92-6, 12/14/1992)

§106. Penalties.<sup>1</sup> Any person who shall violate any provision of this Part shall, upon being found liable thereof in a civil enforcement proceeding commenced by Paradise Township, pay a fine not exceeding one hundred (\$100.00) dollars for the first such offense, or a fine of not more than three hundred (\$300.00) dollars for the second such offense, or a fine of not more than six hundred (\$600.00) dollars for each succeeding offense, plus all court costs, including reasonable attorney's fees incurred by Paradise Township. Northern York County Regional Police Department, the appropriate enforcement officers of Paradise Township, or other appropriate officer of officers of Paradise Township shall have the power to enforce the provisions

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<sup>1</sup>Editor's Note: Please see Chapter 1, Part 6, "Criminal Enforcement Amendments."

of this Part. The amount of the fine imposed for the violation of this Part shall be established by the officer who determines that a violation has occurred. Notice of the violation of the Part and the amount of the fine imposed shall be given by personal delivery or by certified mail to the person or entity violating the Part. If the person or entity violating the Part fails or refuses to pay the fine imposed within the period specified within the notice of the violation of the ordinance, the Township, or an officer thereof, shall file a civil enforcement proceeding with the district justice of the peace to enforce the fine imposed. Any violation of this Part shall be deemed a separate offense for each and every day such violation shall continue and shall subject the violator thereof to the penalties above imposed for each and every separate offense. (Ord. 92-4, 5/11/1992, §106; as amended by Ord. 1996-3, 11/11/1996, §2)

PARADISE TOWNSHIP, YORK COUNTY  
PENNSYLVANIA

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ORDINANCE NO. 2014-02

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AN ORDINANCE AMENDING THE PARADISE TOWNSHIP CODE OF  
ORDINANCES, CHAPTER 7, PART 1, KNOWN AS OUTDOOR BURNING, AS  
AMENDED

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**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Paradise Township, York County, Pennsylvania, as follows:

**SECTION 1:** Section 102(A) of Chapter 7, Part 1 of the Paradise Township Code of Ordinances shall be amended to add the following at the end:

“See section 104(C) for toxic substances and substances prohibited from being burned.”

**SECTION 2:** Section 104(C) of Chapter 7, Part 1 of the Paradise Township Code of Ordinances, shall be deleted in its entirety and shall be amended to read as follows:

- C. “No garbage, food waste, debris, plastics, hazardous materials, plastic, wire, canvas, composition boards, shingles, felt paper, asbestos, vinyl, tires, grease, oil, other petroleum products, all solid or liquid material or rubbish resulting from construction or building operations, paints, chemicals, aerosol cans, oil filters, human or animal waste, or diapers may be burned at any time either indoors or outdoors.”

**SECTION 3: REPEALER.** The passage of this Ordinance shall in no way be deemed to invalidate or repeal any provisions of any ordinance except as specifically provided for herein.

**SECTION 4: SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and an independent provision, and such holding shall not affect the validity of the remaining portions hereof. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid section, subsection, sentence, clause, phrase or portion not been included herein.

**SECTION 5: EFFECTIVE DATE.** This Ordinance shall become effective five (5) days after the adoption thereof.

ENACTED AND ORDAINED, this 14<sup>th</sup> day of July 2014.

Attest:

**PARADISE TOWNSHIP BOARD  
OF SUPERVISORS**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chairman

# ATTESTATION

I hereby attest that I am the Solicitor for Paradise Township, York County, Pennsylvania, and that Ordinance No. 2014-02 is a true and correct copy of that Ordinance, which is scheduled to be adopted.

Date: 6/19/14



\_\_\_\_\_  
Sharon E. Myers

# CERTIFICATION

I hereby certify that I am the Solicitor for Paradise Township, York County, Pennsylvania, and that the copy of Ordinance No. 2014-02 is a true and correct copy of that Ordinance, which was adopted at the meeting of the Board of Supervisor's held on July 14, 2014.

Date: 8/7/14

  
\_\_\_\_\_  
Sharon E. Myers