County of Clarion
Resolution #6 of 2012

IMPOSING OF A TEMPORARY BAN ON OUTDOOR BURNING IN THE COUNTY OF CLARION AND ESTABLISHING PENALTIES FOR VIOLATION OF THE BAN.

WHEREAS, the County Code, 16 P.S. Sec. 13201, grants to the County Commissioners the power, by resolution, to impose a temporary county-wide burn ban on open fires; and

WHEREAS, the County Commissioners upon receipt of a written recommendation from the district forester requesting the imposition of a county-wide burn ban, based on a majority of the requests of the fire chiefs and a majority of the fire departments within the County; and

WHEREAS, the County Commissioners deem it to be in the best interest of the County, for the protection of the health, welfare and safety of the residents and property within the County, to impose a burn ban;

NOW, THEREFORE, be it resolved that:

1) BURNING BAN DEFINITION:
"Open burning" is defined as the ignition and subsequent burning of any combustible material, including garbage, leaves, grass, twigs, litter, paper, vegetative matter involved with land clearing, or any sort of debris, out-of-doors either in a burn barrel or on the ground. The use of propane or gas stoves, charcoal briquette grills, or the use of tobacco in any form is not covered under this Resolution. **Campfires are allowed in fire rings that confine and contain the Campfire (or covered burn barrel)** in designated state, federal or Department of Environmental Protection licensed and any other campgrounds.

2) PROHIBITION:
After the approval and publication of this Burn Ban Resolution, the County Commissioners have the authority to issue a county wide Burn Ban. Enactment of this Burn Ban will be based on a written request by the District Forester. The Burn Ban will become effective within 48 hours after the announcement and will remain in effect for 30 days without further notice from the County Commissioners.

3) DURATION:
Unless a written declaration states a specific duration, a burn ban imposed shall remain in effect until removed by the County Commissioners or the statutory maximum period of thirty (30) days has expired, whichever first occurs.

The County Commissioners, upon the recommendation of the district forester may extend the ban for up to an additional 30 days.

4) ENFORCEMENT:
Any sworn police officer when available, including the Pennsylvania State Police, shall be responsible for enforcing the provisions of this Resolution.
Where a municipal ordinance prohibits open burning, the police officer may cite the violation under either the municipal ordinance or this Resolution. No persons shall be cited for violations of both the municipal ordinance and this Resolution for the same violation.

5) PENALTY:
Any person who violates this Resolution commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than $100 for the first offense, $200 for the second offense, and $300 for the third and subsequent offense, together with costs of prosecution.

6) EFFECTIVE DATE – The Resolution shall require a minimum notice of 48 hours prior to the imposition of a temporary countywide burn ban.

Authority Act 1995 – 52 of the General Assembly of the Commonwealth of Pennsylvania.

ADOPTED THIS 13th day of March, 2012.

CLARION COUNTY COMMISSIONERS

Wayne R. Brosius | G. Butch Campbell | Gregory A. Faller

Attest:

Anjanette M. Keller
Chief Clerk/County Administrator