

MADISON BOROUGH
ORDINANCE NO. 1-88

**AN ORDINANCE OF MADISON BOROUGH REGULATING OPEN BURNING
IN SAID BOROUGH**

SECTION 1420 - Burning Regulation Ordinance

WHEREAS, open burning is believed to be on an increase in the Borough of Madison;

WHEREAS, it is for the public health and safety of the citizens of Madison Borough that Madison Borough Council has determined that open burning be regulated;

WHEREAS, prior Borough Ordinance No. 1 -88 had been in place since March 7, 1988; and

NOW, THEREFORE, the Borough of Madison at its regular Meeting repeals Ordinance No. 1 - 88, and hereby enacts and ordains as follows:

SECTION 1421 Regulation of Burning

- A. Burning Prohibitions. No person shall ignite, cause, kindle, or maintain any outdoor fire on any private land in the Borough of Madison at any time except on Wednesday and Saturday between the hours of dawn to dusk. Said fire shall be extinguished in such a manner that it shall not continue to smolder or produce smoke or fumes or exhalation. These fires shall be limited to general burning such as newspapers, cardboard, and other items of that nature. These fires shall not be large fires or bonfires, nor burn items of green plants, tree leaves, tree limbs and trimmings, and other similar items.
- B. No person shall ignite, cause, kindle, or maintain any fire or authorize any such fire to be kindled or maintained on any private land unless the location is not less than fifty (50) feet from any structure, and adequate provision is made to prevent fire from spreading to within fifty (50) feet of any structure, or, in the alternative, the fire is contained in an approved waste burner located safely not less than fifteen (15) feet from any structure.
- C. No person shall ignite, cause, kindle, or maintain: i) any fire upon any street, alley, sidewalk, or public ground in the Borough of Madison; ii) any shingles, tar paper, rubber, plastic(s), foam materials, wool, or clothing; or iii) any paints, lead content items, or any hazardous materials.
- D. For all other fires such as brush, tree limbs/cuttings, wood or similar items, a permit must be obtained from the SECRETARY of the Borough of Madison.

There shall be no fee for such permit and any burning of the above specified items without such a permit shall constitute a violation of this Ordinance.

- E. All permitted fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply, or other fire extinguishing agents/equipment readily available for use.
- F. Exception to required permit: camp fires that are small, within a competent fire-proof container, not producing embers, not producing a smoky nuisance, and the fire must be over ten (10) feet from any structure, trees, or ignitable materials.

SECTION 1422.

- A. The Borough Police, Borough Code Enforcement Officer, and Chief of the Fire Department of Madison Borough, or a Judge may prohibit any or all outdoor fires that are determined hazardous to people, creating environmental impact on any residence, or due to item burning, including, but not limited to, smoky or hazardous items being burned, ignition processes, skills of persons involved, proximity to other structures, vegetation, or other local circumstances make any such fire(s) hazardous.

- B. This Ordinance may be enforced by any citizen of the Borough.


SECTION 1423. Any person who shall violate any provisions of this Ordinance shall severally for each and every such violation, upon conviction thereof: a) be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days; and/or b) each ignition, re-ignition, or placement of fuels to a fire shall be a separate offense.

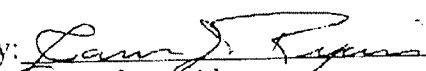
SECTION 1424. Ordinance No. 1 - 88 is hereby repealed.

ORDAINED and **ENACTED** by the Council of the Borough of Madison this 8th day of September, 2020.

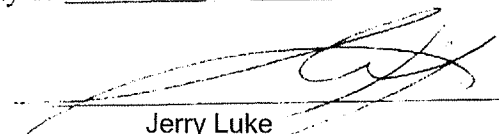
Attest:

MADISON BOROUGH


Borough Secretary

By: 
Council President James Ripani

EXAMINED AND APPROVED this 8th day of September, 2020.


Mayor
Jerry Luke