

Montgomery Borough

35 S. Main Street
Montgomery, PA 17752

"Growing Toward Tomorrow"

Wednesday, March 13, 2024

RE: Montgomery Borough Open Burning

We have had calls, emails and questions as to open burning. With the warmer weather approaching and property clean ups already under way, I need to give a friendly reminder to be considerate and respectful to others when burning refuse per our borough ordinance.

Chapter 133. Burning, Open

§ 133-1. Purpose.

This chapter is enacted in the interest of the health, safety and welfare of the residents of the Borough of Montgomery for the prevention of fires and to eliminate nuisances caused by smoke, cinders and ashes.^[1]

§ 133-2. Prohibited and permitted acts.

- A. No person shall burn any paper or refuse outdoors within the limits of the Borough of Montgomery unless such fires are protected by salamander, wire basket or masonry enclosure. Such receptacle must have openings not greater in size than 1/2 inch. The receptacle must be equipped with a top so constructed as to prevent fly ash from escaping into the atmosphere.
- B. No such outside fire shall be kindled or maintained within 10 feet of any building or the opening of any building or within 10 feet of any property line, alley line or street line.
- C. The burning of any material is prohibited upon any public street or alley.
- D. **No fire shall be kindled or maintained on Sunday or legal holidays**, but shall be permitted on Monday, Tuesday, Wednesday, Thursday, Friday or Saturday of each week between the hours of 7:00 a.m. and 7:00 p.m. All fires must be tended at all times until the fire is out.
- E. The burning of garbage, vegetable waste, rubber, plastics, furniture, glass, metals, crockery, car products or any other materials which will create nauseous or noxious fumes, smoke toxic chemicals or excessive fly ash is specifically prohibited.
- F. The burning of dry brush, grass or leaves is permitted during the hours set forth under Subsection D above.

Montgomery Borough

35 S. Main Street, Montgomery, PA 17752

Telephone (570) 547-1671 Mobile: (570) 974-1899 Email: montgomery.pmceo@gmail.com

www.MontgomeryBoro.org

- G. It shall be lawful to burn paper and other refuse material that is readily combustible and will not create nauseous fumes, noxious smoke, or excessive fly ash during the hours set forth under Subsection **D** above.
- H. Charcoal or wood fires kindled for the purpose of outside barbecues shall be permitted.
- I. Fireplaces within a private residence are permitted for the purpose of providing heat or for use as a barbecue, but in no event shall garbage, rubbish or trash be burned in a fireplace.
- J. The burning of large brush piles or grass areas for the purpose of clearing land shall be permitted, providing the Borough's Fire Department is contacted in advance and advised of such plans so that the Fire Department may be aware of the location of said land and be able to stand by in case of emergency.
- K. Exceptions:
- 1) Open fires may be set in the performance of an official duty of any public officer if the fire is necessary for:
 - a) The prevention of a fire hazard which cannot be abated by other means;
 - b) The protection of public health.
 - 2) Open fires may be set with the approval of the Montgomery Borough Fire Marshal, provided:
 - a) Rubbish only is burned; and
 - b) There is no practical available alternate method for disposal of the material to be burned; and
 - c) No hazardous or other objectionable condition will be created by such burning.

§ 133-3. Violations and penalties.

Any person who violates any provision of this chapter shall be guilty of an offense; and, for every such violation, upon conviction, shall be sentenced to pay a fine of not less than \$50 or more than \$1,000 and costs of prosecution. Provided: each day on which a violation exists or continues shall constitute a separate offense.

Let's keep our borough looking great...

Sincerely,



Joseph M. Lyons, PMCEO

Montgomery Borough

35 S. Main Street, Montgomery, PA 17752

Telephone (570) 547-1671 Mobile: (570) 974-1899 Email: montgomery.pmceo@gmail.com

www.MontgomeryBoro.org