

BOROUGH OF LITTLESTOWN
41 SOUTH COLUMBUS AVENUE, LITTLESTOWN, PA 17340 PHONE 717-359-5101

APPLICATION FOR RESIDENTIAL OUTDOOR BURN PERMIT WITH BOROUGH REGULATIONS

The undersigned makes application to the Borough of Littlestown for permission to do the following with the understanding that all pertinent provisions of the Borough Code will be followed:

DATE:		PERMIT #		
Name of Applicant	Applicant's Address	Applicant's Phone Number		
Name of Property Owner	Property Owner's Phone Number	Rental Property		
		Yes	No	
Fire Pit Type	Size of Fire Pit			
Location of Fire Pit:				
Describe in words and illustration the location of firepit.				
Zoning of Property	Estimated Setbacks for Proposed Project			
	Front Yard	Rear Yard	Right Side	Left Side

This permit is a one time fee granted to the property location. Any replacement, reconstruction or relocation of fire pit, may be subject to a new permit.

TOTAL COST OF PERMIT \$20.00

I hereby certify that to the best of my knowledge the above facts are true and understand that in the event of falsification, I can be subject to a fine. I also hereby release the Borough, its officials and employees, and hereby agree to save harmless the same from any and all damage or suit(s) for recovery of same by reason of the construction above as well as due to the failure of the sewer and water systems, including failure of the water system to furnish an adequate supply of water, or for damage(s) due to any break in, or other injuries to, any portion of said system. I also acknowledge that the service lines from the curb as well as other piping fixtures shall be kept in good repair and maintenance at the expense of the property owner. It is understood that this permit is issued subject to compliance with all applicable Federal, State, and local laws, ordinances, regulations and rules, including, but not limited to those of the PA Department of Labor and Industry and all International and Uniform Construction Codes. Failure to comply with, or violation of, any of the same shall automatically and immediately void this permit. I also agree that the proper Borough officials, agents and employees understand that any permit will not grant any right or privilege to erect any structure or to use any premise herein described for any purpose or in any manner prohibited by the Littlestown Borough Code and Zoning Ordinance. This permit is issued subject to the accuracy and completeness of the information furnished by the applicant. The applicant is notified that the right to proceed with construction pursuant to this permit may be subject to the conditions and requirements of deed covenants, conditions and restrictions. Should the person(s) applying for this permit not be the property owner, they hereby confirm that they are acting in response to the property owner's permission. The applicant hereby acknowledges that he/she will comply with the provisions of Chapter 10 of the Littlestown Borough Code and the adopted International Plumbing Code. Any permit granted in accordance with said regulations is revocable at the will of the designated official, subject to the Littlestown Borough Council, for failure to so comply.

CALL 337-9837 TO SEE IF YOU NEED AN ADAMS COUNTY BUILDING PERMIT

Printed Name of Issuing Official & Date	Printed Name of Applicant & Date
Signature of the Issuing Official	Signature of the Applicant

CALL THE BOROUGH OFFICE AT 359-5101 FOR INSPECTION IMMEDIATELY UPON COMPLETION

ORDINANCE SERIES: 2022
ORDINANCE NO: 705

AN ORDINANCE OF THE BOROUGH OF
LITTLESTOWN, ADAMS COUNTY, PENNSYLVANIA
REPEALING AND REPLACING CHAPTER 154 OF
THE CODE OF THE BOROUGH OF LITTLESTOWN,
ENTITLED "BURNING, OPEN" IN ITS ENTIRETY
AND REPLACING IT WITH THE FOLLOWING
LANGUAGE, AND AN EFFECTIVE DATE.

1. Text Amendment. Chapter 154, Burning, Open, is repealed in its entirety.
2. Text Amendment. The following language will replace Chapter 154:

§ 154-1 TITLE - This chapter shall be known as the "Borough of Littlestown Open Burning Ordinance."

§ 154-2 DEFINITIONS

As used in this chapter, unless the context compels otherwise, the following terms shall have the meanings indicated:

BOROUGH

The Borough of Littlestown, Adams County, Pennsylvania.

BURNABLE MATERIALS

Burnable materials shall include the following:

Wood – Includes any unpainted wood or wood product.

Fire Starters – Includes any commercially produced product that is designed and marketed to start a fire, such as duraflame products, Fire & Flavor products, and Quickfire products. The products must be non-toxic and does not include lighter fluid, gas, or other fire accelerants.

CODE OFFICIAL

The Code Enforcement Official or a Littlestown Borough police officer.

COOKING GRILL

An outdoor man-made appliance which uses charcoal, natural gas, propane, or wood as the primary fuel source and is designed and used for the purpose to cook food outdoors.

ORDINANCE SERIES: 2022
ORDINANCE NO: 705

EXCESSIVE ODOR or EXCESSIVE SMOKE

Odors or smoke that would be offensive to the typical human being and which prevails longer than momentarily.

FIXED OUTDOOR FIREPLACE

An outdoor, solid-fuel-burning, charcoal-burning, propane or natural-gas-burning fireplace that may be constructed of stone, brick, steel, concrete, clay or other noncombustible material that is fixed to the real property. A 55-gallon drum, made of any material is specifically excluded from this definition.

NON-BURNABLE MATERIALS

The following is a partial list of those materials that are classified as “non-burnable” under the guidelines of this Ordinance.

- Plastic; rubber; oils; asbestos; composition boards; shingles; felt paper; canvas; fiber glass; vinyl; or any similar materials; or any combination of the above with any other materials.
- Human or animal waste; sanitary napkins; diapers; food solids; oil filters; or any other materials individually or in combination, that emit smoke, or acrid, obnoxious, or toxic odors.
- Grasses, green twigs, or leaves.
- Fire accelerants and any gasoline
- Paper
- Cardboard & Chipboard
- Excluded and not permitted to be burned are any wood that has been chemically treated to prevent rot or moisture damage, or other similar treatment; wood products that have a high glue content, such as Flakeboard or Composition Board; and wood products in combination with any non-burnable materials.

The above is a partial list of those items and materials prohibited under the guidelines of this Ordinance. Any other materials that do not comply fully with the intent of this Ordinance, or otherwise create a nuisance to people or animals are strictly prohibited.

OPEN FIRE

A fire that is ignited outdoors.

PERSON

Any individual or individuals, partnership, limited partnership, association, corporation or other entity singular or plural, including the responsible officers of any such entity.

ORDINANCE SERIES: 2022
ORDINANCE NO: 705

PORTABLE OUTDOOR FIREPLACE

A non-fixed, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be of open design or may be equipped with a small hearth opening and a short chimney. A 55-gallon drum, made of any material is specifically excluded from this definition.

PROPERTY LINE

The legal boundary line between properties, except for where the property abuts a street, which the curb line along the street, or the edge of the pavement where no curb, shall act as the property line.

§ 154-3 FIRES AND BURNING PROHIBITED

No person shall burn any material of any kind in the Borough, except as authorized by this chapter.

§ 154-4 COOKING GRILLS

Cooking grills shall be allowed without any permit by any person within the Borough. Notwithstanding that a permit is not required, cooking grills shall be operated in a way as to not endanger any structure, building, or other property, or in a way inconsistent with the manufacturer's instructions for operation.

§ 154-5 OPEN FIRES AUTHORIZED BY PERMIT

A. Small, Contained Fires - Subject to this chapter, an adult property owner or other adult authorized by the property owner may conduct or allow an open fire on his or her property in accordance with the following:

1. The fire must be contained entirely within a fixed outdoor fireplace or a portable outdoor fireplace, which shall not exceed 36 inches in width in any direction or diameter and must not be taller than 18 inches;
2. Whether fixed or portable, the fire must be located at a place where no fire may endanger any structure, building, or other property, which must be a minimum of 10 feet from any building or property line;
3. A wood burning fire source within 25 feet of any building or property line shall have a screen of 1/2 inch small mesh and shall not produce dirt, grit or flying debris;
4. Only burnable materials can be burned;
5. The burn must be supervised and maintained by an adult from the time the burning commences until total extinguishment;
6. A permit must be obtained prior to any open fire occurring.

ORDINANCE SERIES: 2022
ORDINANCE NO: 705

7. A minimum of one portable fire extinguisher with an ABC 5 lb. rating or a continuous water source available for immediate utilization.

B. Large, Contained Fires - Subject to this chapter, an adult property owner or other adult authorized by the property owner may conduct or allow an open fire on his or her property in accordance with the following:

1. The fire must be contained entirely within a fixed outdoor fireplace or a portable outdoor fireplace, which shall not exceed 60 inches in width in any direction or diameter;
2. Whether fixed or portable, the fire must be located at a place where no fire may endanger any structure, building, or other property, which must be a minimum of 25 feet from any building or property line ;
3. Whether fixed or portable, the fireplace must be completely contained within the fireplace that has a minimum height of 12 inches around the entire perimeter, but the height shall not exceed 24 inches;
4. Only burnable materials can be burned;
5. The burn must be supervised and maintained by an adult from the time the burning commences until total extinguishment;
6. A permit must be obtained prior to any open fire occurring.
7. A minimum of one portable fire extinguisher with an ABC 5 lb. rating or a continuous water source available for immediate utilization.

§ 154-5 PERMITS

A. Permits for open fires shall be obtained from the Borough on a form to be prescribed and adopted by resolution of the Borough Council. The application for permit to burn (open or barrel) shall constitute notice to the Borough. The Borough Code Official shall forward one copy of the application to the Borough Fire and Police Chief. Should burning take place without a permit, a warning shall be issued.

B. Any permit issued may be revoked, requiring the immediate extinguishment of the open fire, for violations of the issued permit, for burning non-burnable materials, or if, in the Code Official's sole judgment, the fire poses a risk to life or property and to prevent or abate the nuisances caused by such burning (a nuisance would be defined as ash fallout, smoke accumulation in the area, or excessive odor).

C. Permit fees will be set from time to time by a duly adopted resolution of the Borough Council.

D. Permits must be obtained by the property owner and shall designate a person 18 years of age or older that shall supervise and control the fire if the property owner is not present.

E. Permits for contained fires shall be a one-time permit that will be valid as long as the conditions that exist at the time of the permit remain unchanged (i.e. location and vessel containing fire).

ORDINANCE SERIES: 2022
ORDINANCE NO: 705

F. The Code Official may condition a permit on such reasonable precautions (such as relocation, type of fuel, etc.) as in the Code Official's judgment would eliminate a nuisance during future use. Failure to comply with the direction of the Code Official shall result in penalties as set forth hereinbelow and possible revocation of the permit.

G. In the event of a complaint or violation of this chapter, the Code Official may condition future use of the fixed outdoor fireplace, portable outdoor fireplace, or cooking grill on such reasonable precautions (such as relocation, type of fuel, etc.) as in the Code Official's judgment would eliminate any nuisance during future use. Failure to comply with the direction of the Code Official shall result in penalties as set forth hereinbelow.

§ 154-6 FIRE BAN EMERGENCY

The Borough Council may declare a fire ban emergency in Littlestown Borough with or without consultation with the fire chiefs of the local fire companies during a period of drought or other periods of high risk to woodlands or property within Littlestown Borough.

§ 154-7 VIOLATIONS AND PENALTIES

A. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs as well as being banned from any burning in the future. Each day that a violation of this Part continues shall constitute a separate offense.

B. Each day's continuance of any violation of this chapter shall constitute a separate offense, punishable by a like fine.

C. Any person convicted of violating any of the provisions of this chapter or neglecting to comply with any order or notice issued pursuant hereto, upon conviction thereof, shall be required to reimburse any fire company and/or Littlestown Borough for any and all expenses incurred by them in responding to and containing said fire.

D. Any person convicted of violating any of the provisions of this chapter or neglecting to comply with any order or notice issued pursuant hereto, upon conviction thereof, shall be subject to being prohibited to obtain a future permit. The decision to permit after a violation shall be in the discretion of the Code Official.

§ 154-8 RELATED ACTION

The proper officials of the Borough are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this chapter.

§ 154-9 SEVERABILITY

The provisions of this Borough of Littlestown Open Burning Ordinance shall be severable, and if any provision hereof shall be held to be unconstitutional, invalid or illegal by any court of

ORDINANCE SERIES: 2022
ORDINANCE NO: 705

competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of the chapter.

§ 154-10 EFFECTIVE DATE

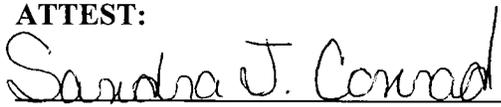
The chapter shall become effective immediately upon enactment.

DULY ENACTED AND ORDAINED this 23rd day of August, 2022
by the Borough Council of the Littlestown Borough, Adams County, Pennsylvania, in lawful session duly assembled.

Littlestown Borough Council

By: 
President

ATTEST:


Secretary


Mayor of the Borough of Littlestown