

OFFICIAL USE ONLY
 PRE-INSPECTION _____
 FINAL INSPECTION _____

WEST HANOVER TOWNSHIP
 firemarshal@westhanover.com or
 manager@westhanover.com
TODD HOFFMAN, FIRE MARSHAL
DANIEL ROSARIO, MANAGER AND CODE OFFICIAL

BURN PERMIT CHECKLIST

PLEASE COMPLETE THE QUESTIONS BELOW BY CHECKING THE APPROPRIATE "YES" or "NO" RESPONSE TO DETERMINE WHETHER A BURN PERMIT IS REQUIRED TO BE REVIEWED AND APPROVED BY THE FIRE MARSHAL OR CODE OFFICIAL PRIOR TO BURNING.

WHAT TYPE OF BURNING WILL YOU BE UNDERTAKING (CHECK ONLY ONE)?

- OPEN BURNING THAT IS NOT CONTAINED
- CONTAINED BURNING IN AN INCINERATOR, FIREPLACE OR A FIREPROOF CONTAINER.

OFFICIAL USE	ALL FIRES, ANSWER QUESTIONS 1-7	APPLICANT	
		YES	NO
1.	IS THE OPEN FIRE BEING SET UPON ANY PUBLIC STREET, SIDEWALK, ALLY OR OTHER PUBLIC GROUND?		
2.	REVIEW THE TOWNSHIP ZONING MAP. IS YOUR HOME OR PROPERTY LOCATED IN THE R-1, R-2, R-3, CH, IE, BE, NC, & I DISTRICTS?		
3.	IF YOU ARE BURNING BRANCHES WILL THEY EXCEED 4 INCHES IN DIAMETER?		
4.	IS WHAT YOU ARE BURNING GENERATED FROM SAID PROPERTY?		
5.	WILL YOUR FIRE BE SET AT NIGHT? NIGHT = ONE (1) HOUR BEFORE SUNSET OR BEFORE SEVEN (7) AM?		
6.	WILL YOUR FIRE BE ATTENDED AT ALL TIMES BY A RESPONSIBLE ADULT?		
7.	WILL YOUR FIRE CONTAIN ONE OR MORE OF THE FOLLOWING: GARBAGE, ANIMAL SUBSTANCE OR PARTS, AEROSOL CANS UNDER PRESSURE, HAZARDOUS CHEMICALS AND SUBSTANCES, CONSTRUCTION DEBRIS, NON-COMBUSTIBLE MATERIALS?		

	CONTAINED FIRES ONLY: ANSWER ALL TEN (10) QUESTIONS	YES	NO
8.	IS YOUR PROPERTY SMALLER THAN ONE (1) ACRE?		
9.	IS THE FIRE CONTAINED WITHIN A NON-COMBUSTIBLE CONTAINER DESIGNED TO LIMIT SENDING SPARKS TO SURROUNDING AREAS?		
10.	IS YOUR NON-COMBUSTIBLE CONTAINER FOR THE FIRE LOCATED AT LEAST FIFTY (50') FEET FROM ANY BUILDING, AUTOMOBILE, ROADWAY, GARBAGE CONTAINER OR OTHER COMBUSTIBLE MATERIALS AND AT LEAST TWENTY-FIVE (25') FEET FROM THE PROPERTY LINE?		
INITIALS & DATE			

CERTIFICATION: BY SIGNING THIS FORM, I CERTIFY THAT IT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I HAVE NOT MADE ANY ATTEMPT TO CONCEAL INFORMATION RELATED TO THE BURNING ACTIVITIES ANTICIPATED. I HAVE READ THE OPEN BURNING GUIDELINES & CHAPTER 85, ATTACHED.

PRINT NAME: _____ SIGN: _____

ADDRESS: _____

DATE: _____ PHONE: _____

**WEST HANOVER TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA
BURN PERMIT APPLICATION**

Section A		Property Information	
Property Owner's Last Name	Middle Initial	First Name	Phone Number
Property Address		Email Address	
Occupancy Type	Property Boundary Verified	Distance to Closest Building	

Section B		Applicant Information	
Applicant's Last Name	Middle Initial	First Name	Phone Number
If Applicant is not the Property Owner, state relationship to owner:			

Section C		Burnable Material Description	
Date & time fire will be started:			
Duration of burning:			
List all materials approved to be burned under this permit:			

- All open burning must comply with all provision of Township Ordinance (Chapter 85)
- See attached guidelines from the Fire Marshal or Code Official
- If control of this fire is lost, call 911 *immediately*
- All campfires must be out by midnight
- Dauphin County Control must be contacted by applicant prior to and upon completion of burning at 558-6900

Applicant's Signature	Date	Fire Marshal or Code Official Signature	Date
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This section completed by the Township

Permit #	Date of Issuance:	Property Parcel #:
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Chapter 85. Burning, Open

§ 85-1. Purpose.

It is against public policy to permit uncontrolled and unrestricted outdoor burning. The purpose of this chapter is to prevent needless public damage to life and property because of public and private nuisances caused by outdoor fires deliberately or carelessly set and maintained.

§ 85-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BURN BAN

An order or directive issued by the Township Fire Marshal and/or any county or state agency having jurisdiction prohibiting outside fires and burning during a time of drought or other emergency situation or condition.

BURN PERMIT

A permit to kindle or maintain such open fires or other fires. The permit shall be issued by the Township Fire Marshal upon application thereof made to the Township. A burn permit is valid for a time period as approved by the Fire Marshal.

CAMPFIRE

A fire lit to serve the following functions: light, warmth, a beacon, an insect and/or apex predator deterrent, to cook, and for a psychological sense of security. A campfire is a maximum of two feet in diameter and two feet in height. Any fire larger than previously mentioned shall be considered a bonfire and will require a special permit and possible Fire Company involvement.

CHIMINEAS/FIRE POTS

An outdoor freestanding container made of metal or clay designed to hold a fire. A chiminea is a front-loading fireplace with a bulbous body and vertical smoke vent or chimney. Fire pots may not have a chimney.

ENFORCEMENT OFFICER

The Fire Marshal of West Hanover Township, the Assistant Fire Marshal, and the Code Enforcement Officer shall be designated enforcement officers under this chapter.

FIRE RING

A construction or device used to contain campfires and prevent them from spreading and turning into wildfires. Fire rings have no bottom and are simply circles made of forged metal, stones, concrete, etc., which surround and contain a campfire.

GARBAGE

All putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

INCINERATOR/NONCOMBUSTIBLE CONTAINER

A device specifically designed for the destruction by burning of any combustible material.

LEAF WASTE/FOLIAGE

Foliage from trees, bushes and other plants, garden residue, shrubbery and tree trimmings, but not including grass clippings.

NUISANCE SMOKE

Solid particles and/or microdebris generated by open or contained burning that interferes with the enjoyment, public health, and use of property.

OPEN FIRE

Any fire not contained, including campfires.

PERSON

Any individual, or agent of a partnership, association, corporation, department, bureau, agency or legal entity.

RECYCLABLE MATERIALS

Those materials specified by the Township for separate collection in accordance with recycling regulations. Such materials may include but not be limited to aluminum products, ferrous containers, bimetal containers, glass containers, newspapers, magazines and periodicals, office paper, plastic containers, foliage and yard wastes.

RED FLAG WARNING/FIRE WEATHER WARNING

A weather advisory issued by the National Weather Service when the combination of dry fuels and weather conditions support extreme fire danger. The criteria for these warnings are low humidity (less than 30%) and high winds (greater than 20 mph).

REFUSE

Garbage, rubbish and trade waste.

RESPONSIBLE ADULT

An individual 18 years or older who is not under the influence of drugs or alcohol or suffering from any other disability which would impair his or her ability to properly supervise a fire.

RUBBISH

Solids not considered to be highly flammable or explosive, including but not limited to rags, old clothes, leather, rubber, carpets, excelsior, ashes and furniture.

TRADE WASTE

All solid or liquid material or rubbish resulting from construction, building operations or the prosecution of any business, trade or industry, including, but not limited to, plastic products, cartons, paint, grease, oil, and other petroleum products, chemicals, cinders and other forms of solid or liquid waste materials.

§ 85-3. Fires on public property prohibited.

No person, firm, partnership or corporation shall set or maintain any fire at any time upon any of the streets, sidewalks, alleys or public grounds in West Hanover Township, or burn or cause to be burned thereon any paper, garbage, refuse, debris, boxes, rubbish, foliage, weeds or other material or substance of any kind, unless the person doing so shall be an employee of West Hanover Township authorized to do so.

§ 85-4. Fires on private property restricted.

- A. Open fires shall be permitted upon private property in West Hanover Township under and subject to the following requirements:
- (1) All open fires in West Hanover Township require a burn permit issued by the West Hanover Township Fire Marshal.
 - (2) Open fires shall not exceed six feet in diameter and six feet in height and must be 50 feet from any structure and 25 feet from any property line.
 - (3) Campfires require a burn permit and shall not exceed two feet in diameter and two feet in height and be a minimum of 25 feet from property lines and structures, automobiles or any combustible materials and are subject to all other provisions in this chapter.
- B. Contained fires shall be permitted upon private property in West Hanover Township and are subject to the following requirements:
- (1) Contained fires in West Hanover Township Zoning Districts R1, R2, R3, CH, IE, I, BE and NC shall require a burn permit issued by the West Hanover Township Fire Marshal.
 - (2) Contained fires in West Hanover Township Zoning District C, FRA, and RR, where the lot size is a minimum of one acre, do not require a burn permit.
 - (3) No fire shall be set, started or maintained unless confined within a noncombustible container designed or adopted to prevent the escape of fire-starting sparks to nearby combustible materials or substances.
 - (4) No fire shall be set, started or maintained in a noncombustible container unless such container is located at least 50 feet from any building, automobile, public roadway, garbage or waste container or any other combustible material or substance, and 25 feet from any property line.
 - (5) Cooking on an outdoor cooking appliance shall be allowed in all zoning districts and is subject to all restrictions stated herein except § 85-4B(2).
 - (6) Chimineas/fire pots are allowed so long as the manufacturer's recommendations are followed and the use does not cause a hazard to persons or property.
- C. Any fires permitted under Subsections A and B above are also subject to the following general requirements:

- (1) All such fires must be attended at all times by a responsible adult person.
- (2) The burning of branches by the owner or agent of the property upon which the burning occurs shall be permitted, so long as it does not endanger any structure on said property or any other person's property or structure and so long as none of the branches exceeds a diameter of four inches and are the branches of the property upon which the burning occurs.
- (3) No fire shall be set, started, fed, permitted to burn or maintained:
 - (a) Where such fire may endanger any building or property, except where such building or property is being used by the Fire Company for training purposes.
 - (b) Between one hour prior to sunset and 7:00 a.m., with the exception of campfires and outdoor cooking appliances.
- (4) Unlawful substances. The following shall not be burned at any time under any condition:
 - (a) Garbage.
 - (b) Animal substance.
 - (c) Any can that contains or did contain air or gas under pressure.
 - (d) Any chemical or substance which is a hazardous chemical or hazardous substance or which, when burned, would create a hazardous or offensive condition.
 - (e) Construction debris, by-products of manufacturing and processing operations and wastes from commercial operations.
 - (f) Leaf waste/foilage.
 - (g) Grass clippings.
- (5) Nothing herein shall be construed to permit or encourage the burning of any substance determined by the Commonwealth of Pennsylvania or the United States Environmental Protection Agency to be a hazardous substance, nor shall any fire be permitted to burn by any persons if such burning is in violation of legislation by the Commonwealth of Pennsylvania or the United States of America or any of their legislative agencies.

D. Extinguishing unsafe fires.

- (1) It is a violation of this chapter for any person to allow any fire to burn under adverse weather conditions or unsupervised or otherwise in an unsafe manner. Any such fire may be extinguished by an official of the Fire Company or extinguished immediately upon request of such official.
- (2) It is a violation of this chapter for any person to allow a legal contained or open fire to generate nuisance smoke as defined herein. Any such fire may be extinguished by an official of the Fire Company unless extinguished immediately upon request of such official.

- (3) For any fire requiring a response by the Fire Company, the person or agent shall pay charges to cover all incurred fire-suppression costs in accordance with Chapter 19 of the Code of West Hanover Township.

§ 85-5. Permit required; application.

- A. Any person, firm, partnership or corporation shall apply to the Fire Marshal of West Hanover Township for a burn permit to set, start or maintain a fire, except when a permit is not required per § 85-4B(2). The burn permit application must be completed and submitted to the Fire Marshal for approval.
- B. The Fire Marshal of West Hanover Township shall consider said application and shall notify the applicant within 15 days from the date of the submission of the application whether or not a permit will be granted and under what condition or conditions the permit will be subject. The Fire Marshal may require as a condition that the applicant have present necessary personnel of the West Hanover Township Fire Company. In such cases, a condition of the issuance of the permit shall be that the applicant pay any reasonable fees for service by the West Hanover Township Fire Company.

§ 85-6. Weather conditions; prohibition of all fires.

- A. During periods of drought or extended periods of time without rainfall, no fire shall be set, started or maintained, nor shall any permit be issued, during such period of time. The Fire Marshal of West Hanover Township shall be responsible for determining when a period of drought or period of inadequate rainfall exists under this section. Upon making his determination, the Fire Marshal shall thereupon notify the West Hanover Township Board of Supervisors or a designated official of said Board, whereupon public notice that no fire shall be set shall be given through the use of such public news media as the Board deems reasonable.
- B. Any directive or prohibition against outdoor burning issued by any county or state agency having jurisdiction shall be considered equivalent to any burn ban issued by the West Hanover Township Fire Marshal as per the authority expressed in Chapter 22, Fire Marshal, § 22-3F.
- C. Any day determined by the National Weather Service as a Red Flag Day or a Fire Weather Warning Day.

§ 85-7. Violations and penalties.

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000. Every day that a violation of this chapter continues shall constitute a separate offense. It is further provided that, upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the county prison for a period of not exceeding 30 days.

§ 85-8. Enforcement.

The Board of Supervisors shall appoint the Fire Marshal and the Assistant Fire Marshal, who shall have the power to enforce the provisions of this chapter, or in the absence of the Fire Marshal, an officer, designated by the Fire Marshal.

§ 85-9. Municipal liability.

The Board of Supervisors, and its agents, officials and representatives, shall not under any circumstances be liable or responsible for damages caused to any person or property by reason of the issuance of any permit under the provisions of this chapter, or by reason of the conduct of any burning activity in compliance or noncompliance with the terms and provisions hereof. The person, persons, company or companies responsible for any such fire and the permit holder shall bear sole liability for any damages caused as a result thereof.