

## **SECTION 705. OPEN BURNING, RECREATIONAL FIRES AND BONFIRES**

### **705.1 General.**

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and *approved* in accordance with this code.

### **705.2 Open burning.**

Burning of refuse, leaves and trimmings is prohibited. Refuse, leaves, and trimmings shall not be burned outdoors on the *premises* in any manner whatsoever.

**Exception: Agricultural Burning.** Properties with 10 or more acres with an active agricultural farming operation are permitted to burn agricultural by-products only (no household refuse, construction materials or similar materials). A Fire Permit (Agricultural Burning) is to be obtained from the fire marshal's office prior to starting any agricultural burning and is valid for one (1) year from date of issuance.

The following conditions apply to agricultural burning:

1. Open burning of agricultural commodities in their unmanufactured state is permitted. Agricultural commodities include field tree limbs and trimmings, field brush accumulated as part of farm maintenance and yard waste.
2. Refuse, which includes garbage, trash, recyclables, plastics, building materials, tires, and other materials are not agricultural commodities and shall not be burned outdoors and on the premise.
3. Burning shall be performed during daylight hours.
4. Agricultural fires shall be at least 100 feet from any structure, property line and combustible material.
5. Fires shall be constantly attended.
6. A portable fire extinguisher with a minimum 4-A rating or garden hose shall be readily available for immediate use.
7. Contact Lancaster County Wide Communications prior to any agricultural burn providing the property *owner* name, contact phone number, property address and proposed day and time of burn.

### **705.3 Prohibited open burning.**

Open burning shall be prohibited when atmospheric conditions or local circumstances, such as a County burn ban, make such fires hazardous.

#### **705.4 Extinguishment authority.**

When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the *code official* or a representative of Manheim Township Fire Rescue is authorized to order the extinguishment of the open burning operation.

#### **705.5 Recreational Fires.**

Recreational fires for the purposes of pleasure, religious, ceremonial, cooking, warmth, or similar purposes, do not require a permit and are permitted with the following stipulations:

1. Fires shall not be more than 3 feet in diameter and no more than 2 feet in height.
2. Fires shall be at least 25 feet from any structure, property line, and combustible material.
3. Fires shall be constantly attended until the fire is extinguished.
4. A portable fire extinguisher with a minimum 4-A rating or a garden hose shall be readily available for immediate use.
5. Recreational fires shall be completely extinguished no later than 10 PM.

#### **705.6 Bonfires.**

Bonfires are permitted only after obtaining a fire permit from the fire marshal's office. Fire permits shall be obtained for each bonfire event. A Fire Permit Application must be completed and submitted along with the applicable permit fee and site plans indicating the proposed location of the bonfire with distances between the proposed fire locations and all structures and property lines. Bonfires shall comply with the following conditions:

1. The minimum required distance from a building and property line is fifty (50) feet.
2. Bonfires shall be constantly attended until the fire is extinguished.
3. A portable fire extinguisher with a minimum 4-A rating or a garden hose shall be available for immediate use.
4. Bonfires shall be completely extinguished no later than 10 PM.

#### **705.7 Portable outdoor fireplaces.**

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

**Exception:** Portable outdoor fireplaces used at one- and two-family dwellings shall be used in accordance with the manufacturer's instructions.