

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2034 Session of
1993

INTRODUCED BY STABACK, BELFANTI, TRELLO, NAILOR, BAKER, ROONEY,
HASAY, LAUGHLIN, CHADWICK AND BELARDI, OCTOBER 4, 1993

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 4, 1993

AN ACT

1 Authorizing the imposition of countywide burn bans under certain
2 circumstances; and providing penalties for violations.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Authorization.

6 (a) General rule.--Subject to the prerequisites of
7 subsection (b), the governing body of any county of the second
8 class through eighth class, including home rule counties, shall
9 have the power and may, by resolution, provide for the
10 imposition of a countywide burn ban on open fires. The
11 resolution shall state what conditions will warrant a countywide
12 burn ban, the procedures used to notify residents of the ban,
13 the procedures used to enforce the ban and the procedures used
14 to remove the ban. Each resolution shall require a minimum of 48
15 hours notice prior to the imposition of a countywide burn ban.

16 (b) Prerequisites.--Prior to adopting any countywide burn
17 ban on open fires under subsection (a), the governing body of
18 the county shall have received a written recommendation from the

1 district forester who has received or solicited verbal requests
2 from at least ten fire chiefs or 50% of the fire chiefs in a
3 county, whichever is less, from various sections of the county
4 recommending and requesting the imposition of the burn ban on
5 open fires.

6 Section 2. Construction.

7 Any burn ban imposed under section 1 shall supersede any
8 municipal ordinance to the contrary.

9 Section 3. Enforcement.

10 Any sworn police officer when available including the
11 Pennsylvania State Police shall be responsible for enforcing the
12 provisions of this act.

13 Section 4. Penalty.

14 A person who violates this act commits a summary offense and
15 shall, upon conviction, be sentenced to pay a fine of not more
16 than \$100 for the first offense, \$200 for the second offense and
17 \$300 for the third offense.

18 Section 5. Effective date.

19 This act shall take effect in 60 days.