

ORDINANCE NO. 90-02AN ORDINANCE RESTRICTING FIRES AND OPEN BURNING IN
BEDFORD TOWNSHIP AND PRESCRIBING PENALTIES FOR VIOLATION

BE IT ENACTED AND ORDAINED BY BEDFORD TOWNSHIP, Bedford County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

ARTICLE I - Definitions

As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

- A. Furnace - any enclosed device specifically designed for burning any material for the production of heat.
- B. Garbage - all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.
- C. Incinerator - any device specifically designed for the destruction by burning of refuse, sewage, sludge or any other combustible material.
- D. Open fire - a fire in which any material is burned in the open or in a receptacle other than a furnace or incinerator.
- E. Person - any individual, partnership, association, corporation, department, bureau, agency or other legal entity.
- F. Refuse - garbage, rubbish and trade waste.
- G. Rubbish - solids not considered to be highly flammable or explosive including, but not limited to, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, tree branches, tree leaves, yard trimmings, furniture, tin cans, glass, crockery, masonry and other similar materials.
- H. Salvage operation - any business, trade or industry engaged in whole or in part in salvaging or reclaiming any product or material, including, but not limited to, metals, chemicals, shipping containers or drums.
- I. Township Supervisors - the governing body of Bedford Township
- J. Trade waste - all solid or liquid materials 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; provided, that "trade waste" shall not include any coal refuse associated with the mining or preparation of coal.

ARTICLE II - Enforcement. The Township Supervisors for Bedford Township shall have the power and duty to enforce the provisions of this Ordinance.

ARTICLE III - Regulations

A. Within Bedford Township, no person shall:

- 1. Ignite or feed any open fire for the destruction of refuse or in the conduct of a salvage operation in any public or private place outside of any building; or
- 2. Cause, suffer, allow or permit the maintenance of any open fire for the destruction of refuse, or in the conduct of a salvage operation on any property under his control outside of any building.

B. 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; or
 - b. The protection of public health.
- 2. Open fires may be set with approval of the authorized enforcement agent of this Ordinance; provided,
 - a. Leaves, branches and other non-putrescible vegetable matter only are burned.
 - b. There is no practical available alternative method for disposal of the material to be burned.
 - c. No hazardous or other objectionable condition will be created by such burning.
 - d. No such burning is allowed on any street or sidewalk within Bedford Township.
 - e. All such burning takes place between the hours of 9:00 a.m. and 9:00 p.m.

ARTICLE IV - Penalties

Any person who shall violate any provision of this Ordinance shall, upon

conviction thereof, be sentenced to pay a fine of not more than THREE HUNDRED DOLLARS (\$300.00) and/or to imprisonment for a term not to exceed NINETY (90) days.

ARTICLE V - Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE VI - Severability

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences or clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ARTICLE VII - Enactment

This Ordinance shall become effective five (5) days after enactment and shall remain in force until modified, amended or rescinded by the Bedford Township Supervisors.

ENACTED by the Township Supervisors of Bedford County this 1st day of May, 1990.

BEDFORD TOWNSHIP SUPERVISORS

By: [Signature]
[Signature]
[Signature]

Attest:

[Signature] (SEAL)
Secretary

ORDINANCE NO. 90-03
AN ORDINANCE TAKING OVER A PRIVATE ROAD IN
BEDFORD TOWNSHIP, BEDFORD COUNTY, PENNSYLVANIA

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Bedford Township, Bedford County, Pennsylvania, as follows:

SECTION I: That a private road laid out in Bedford Township, Bedford County, Pennsylvania, be opened, said road described as follows:

BEGINNING at an iron pin on the southeast side of an existing 33-foot road, said iron pin is on the division of line between Lot F and Lot G now or formerly of Willis Reed; thence through the Lots G and H now or formerly of Willis Reed, South 52° 07' West 252.97 feet to an iron pin on the division line between lots now or formerly of Reed and Larry John Whitsel; thence through Lots I and J now or formerly of Whitsel, South 55° 25' 30" West 251.14 feet to an iron pin on the division line between lots now or formerly of Whitsel and J. Fred Wolf, Jr.; thence through Lot K now or formerly of J. Fred Wolf, Jr., South 55° 25' 30" West 23.07 feet to a point on a cul-de-sac with a radius of 40 feet; thence with a curve to the right having a 40-foot radius and an arc distance of 212.47 feet to a point on tangent; thence through Lots K, J and I, being lands now or formerly of Wolf and Whitsel, North 55° 25' 30" East 290.66 feet to a point on the division line of Lots I and H; thence through Lots H and G now or formerly of Willis Reed, North 52° 07' East 257.12 feet to a point on the division line of Lots G and F; thence with the division line of Lots G and F, South 29° 05' East 33.39 feet to an iron pin, the place of BEGINNING. CONTAINING 0.520 acre as calculated from a draft of Sunnybrook Acres by R.B. Beam August 22, 1977, by Diehl and Whetstone.

Section II: All ordinances or parts of ordinances insofar as they are inconsistent herewith are hereby repealed.

BEDFORD TOWNSHIP SUPERVISORS:

By: Kenneth C. Hagan
Samuel C. Hagan
Roy D. Zappert

Attest:
Gloria J. Hagan (SEAL)
Secretary