

TOWNSHIP OF WEST MAHANoy  
SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 1991-1

AN ORDINANCE EXEMPTING CERTAIN ACTIVITIES  
FROM A PREVIOUSLY ENACTED ORDINANCE OF  
THIS TOWNSHIP REGULATING OPEN BURNING

WHEREAS, the Board of Supervisors of the Township of West Mahanoy previously adopted an Ordinance proscribing open burning within the Township of West Mahanoy; and

WHEREAS, grave diggers have customarily started fires on proposed grave sites in order to defrost the ground so as to enable a grave site to be prepared; and

WHEREAS, the various fire companies within the Township of West Mahanoy have pointed out that practice burns for training purposes by fire companies would be violative of the open burning Ordinance; and

WHEREAS, the Board of Supervisors of the Township of West Mahanoy believe that it is in the Township's best interest to exempt open burning for purposes of grave site preparation when the ground is frozen; and

WHEREAS, the Board of Supervisors of the Township of West Mahanoy believe it is in the Township's best interest that open burning be permitted by fire companies when utilized for training purposes so as to insure a well-trained and qualified volunteer fire fighting system.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Township of West Mahanoy, and it is hereby ordained by the Board of Supervisors of the Township of West Mahanoy as follows:

1. That any grave digger who wishes to utilize open burning in the Township of West Mahanoy for purposes of defrosting frozen ground in preparation of a grave site shall apply for a permit with the Borough Secretary before any open burning is permitted.
2. That the Borough Secretary shall forward the permit request to the fire chief who shall review the permit and advise the Board of Supervisors as to whether to approve same.
3. Each permit submitted by a grave digger shall include a list of the materials which will be burned in order to prepare the grave site.
4. There shall be no fee accompanying the permit request.

5. A grave digger need only apply for a permit once per calendar year. However, each permit must be renewed on an annual basis.

6. That the fire companies are permitted to utilize open burning for purposes of practice and training; however, each request to utilize open burning by fire companies shall first be reviewed by the fire chief and a recommendation shall be made by the fire chief to the Board of Supervisors.

7. The Board of Supervisors of the Township of West Mahanoy shall determine on a case by case basis, upon recommendation from the fire chief as to whether to permit open burning for utilization in practice and training by the local fire companies.

8. Nothing contained herein is to be construed as permitting any other person or entity exemption from previously enacted open burning Ordinances which are still in full force and effect.

Effective date of this Ordinance is the 15 day of January, 1991.

ENACTED AND ORDAINED INTO ORDINANCE THIS DAY OF , 1991.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF WEST MAHANOX

BY: *Peter Paul J. Owens*  
Chairman

*Charles J. Cabanette*  
Supervisor

*Donald J. Giffels*  
Supervisor

ATTEST:

*Charles P. Myklebust*  
Secretary