

## Chapter 72

### BURNING, OPEN

§ 72-1. Title.

§ 72-2. Regulations.

§ 72-3. Enforcement.

§ 72-4. Violations and penalties.

§ 72-5. Additional costs.

[HISTORY: Adopted by the Borough Council of the Borough of Mount Pocono 3-20-2006 by Ord. No. 3-2006. Amendments noted where applicable.]

#### GENERAL REFERENCES

Solid waste — See Ch. 175.

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#### § 72-1. Title.

This chapter shall be known as the "Borough of Mount Pocono Open Burning Prohibited Ordinance."

#### § 72-2. Regulations.

All open burning is prohibited in the Borough of Mount Pocono except for special circumstances as specified by the Borough of Mount Pocono.

#### § 72-3. Enforcement.

The Pocono Mountain Regional Police Department is hereby granted the authority and responsibility for enforcing any violations of this chapter as are found to be in existence at the time of inspection.

#### § 72-4. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction in a summary proceeding brought in the name of the Borough of Mount Pocono, before a magisterial justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not more than \$300 and the costs of prosecution, and in default of payment, to imprisonment for a term not to exceed 90 days, provided that each day's violation of any of the provisions of this chapter shall constitute a separate offense.

#### § 72-5. Additional costs.

A. In case of a fire requiring fire fighters and/or equipment and upon conviction of any violation of this chapter, the violator shall also pay charges in order to cover the

fire-fighting costs. Charges shall be assessed for use of the following fire-fighting equipment:

- (1) Pumpers and tankers;
  - (2) Brush busters. Brush busters are all-wheel-drive vehicles equipped for off-road or wooded area use with a water tank of at least a five-hundred-gallon capacity and an appropriate size pump;
  - (3) Chain saws.
- B. Additional labor charges shall be assessed under this chapter based upon an hourly rate for all firemen engaged in the fire-fighting activities.