

MIDDLESEX TOWNSHIP

CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 14 –2008

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MIDDLESEX
TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING
ORDINANCE NO. 13-2007

NOW THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted and
ordained by the Board of Township Supervisors in and for the Township of Middlesex,
Cumberland County, Pennsylvania, as follows:

SECTION 1: Ordinance No. 13-2007 as subsequently amended, is hereby amended as
follows:

A. Section 3, Definitions, is hereby amended to including the following additional
definitions:

"Agricultural Operation" means the active use of land for growing and harvesting crops
whether for humans or animals and also includes nursery, horticulture and forestry uses and/or
the raising, consumption and/or selling of livestock as a source of meat, poultry, dairy products,
hides or other animal products.

"Clearing and Grubbing Wastes" means trees, shrubs and other native vegetation which
are cleared from land during or prior to the process of construction or in conjunction with an
agricultural operation.

"Leaf Waste" means leaves, garden residue, shrubbery, tree trimmings and similar
material, but not including grass clippings.

B. Section 6, Open Burning of Trees, Logs, Brush and Stumps is hereby amended in its
entirety as follows:

- a. Except as provided in Section 6.b, below, the open burning of trees, logs, brush,
stumps and leaf waste is strictly prohibited.
- b. Open burning of clearing and grubbing wastes on any size tract and open burning
associated with agricultural operation on any tract of land containing 3.25 or more
acres is permitted subject to and conditioned upon the following:

1. Open burning must be conducted at least 100 feet from any structure and at least 50 feet from any property boundary line.
2. Open burning shall not be permitted in the CH, VC, and I zoning districts.
3. No open burning shall take place during such time periods as the County, State or Board of Supervisors of the Township has established as a burning ban.
4. All allowed open burning shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.
5. Open burning shall be conducted only on the property on which the materials were generated.
6. Outdoor campfires and small fires for cooking, ceremonies, or recreation are allowed provided they do not cause a nuisance.
7. Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.
8. No materials may be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or water body.
9. Open burning shall be limited to the time after sunrise and not later than sunset.

SECTION 2: Except as only specifically modified herein, Ordinance 13-2007 as previously enacted and amended shall remain in full force and effect.

SECTION 3: The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this Ordinance or of Ordinance 13-2007 as amended or any part or portion thereof.

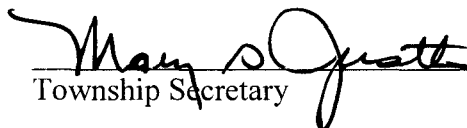
SECTION 4: This Ordinance shall take effect in accordance with applicable law.

ENACTED AND ORDAINED this 3rd day of December, 2008 by the Board of
Township Supervisors of the Township of Middlesex in public session duly assembled.

TOWNSHIP OF MIDDLESEX

By: 
Victor P. Stabile, Chairman

ATTEST:


Township Secretary

(Township Seal)