

ORDINANCE NO. 107

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF UPPER MILFORD TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA AMENDING THE UPPER MILFORD TOWNSHIP PREVENTION OF OPEN, UNATTENDED FIRES, FIRE HAZARDS AND AIR POLLUTION CONTROL ORDINANCE OF 2004

WHEREAS, the Board of Supervisors of Upper Milford Township have heretofore enacted Ordinance No. 97 known as "The Upper Milford Township Prevention of Open, Unattended Fires, Fire Hazards and Air Pollution Control Ordinance of 2004"; and

WHEREAS, the Board of Supervisors are desirous of amending said Ordinance so as to permit the Fire Chiefs of Upper Milford Township, upon mutual consent, to prohibit open burning under certain circumstances.

NOW, THEREFORE, the Board of Supervisors of Upper Milford Township, Lehigh County, Pennsylvania, do hereby ordain as follows:

1. Paragraph 8 of the Upper Milford Township Prevention of Open, Unattended Fires, Fire Hazards and Air Pollution Control Ordinance of 2004, known as Ordinance No. 97, is hereby amended to read as follows:

If because of weather, atmospheric or other conditions, any open burning would in the judgment of the Board of Supervisors of the Township and/or upon the mutual written consent of the Fire Chiefs of the Township, would constitute a general danger or threat to property or persons in the Township, the Board of Supervisors of the Township and/or the Fire Chiefs upon mutual written consent may prohibit any open burning until such danger, in their opinion, is no longer present. In the event that the open burning is prohibited by the decision of the Fire Chiefs, then the Fire Chiefs shall immediately, in writing, submit a joint letter to the attention of the Board of Supervisors of Upper Milford Township declaring the prohibition on open burning including the rationale for that declaration. The Township shall notify the public of the prohibition on open burning through the newspapers, posting at the Township Municipal Building and

at the local fire companies, and/or through use of other publications and the Township's website.

A ban on open burning may also be declared by the County of Lehigh, the Commonwealth of Pennsylvania and/or the United States Government. To the extent that such a fire ban emergency is declared by these entities, it shall supersede the provisions of this Ordinance.

2. The provisions of this amending Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any remaining provisions of this Ordinance.

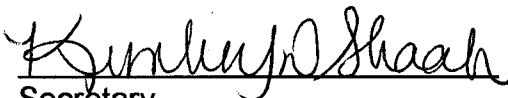
3. Any Ordinance or part of Ordinance, except as otherwise herein provided, conflicting with the provisions of this Ordinance including, but not limited to, Ordinance No. 58, as amended, and/or Ordinance No. 97, are hereby repealed insofar as the same affects this Ordinance.

4. This Ordinance shall become effective five (5) days after enacted.


ORDAINED AND ADOPTED this 18 day of May, 2006, in lawful session duly assembled.

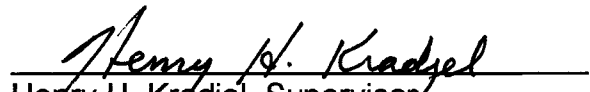
ATTEST:

BOARD OF SUPERVISORS OF
UPPER MILFORD TOWNSHIP


Secretary


Daniel J. Mohr, Chairperson


Stephen Ackerman, Supervisor


Henry H. Kradjel, Supervisor

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