

WEST WYOMING BOROUGH ORDINANCE NUMBER 4 OF 2009

## AN AMENDMENT TO THE ORDINANCE PROHIBITING OPEN BURNING IN THE BOROUGH OF WEST WYOMING AND ADDING THE REGULATION AND PROHIBITING OF BURNING TIKI TORCHES IN THE FRONT OF ANY RESIDENTIAL OR COMMERCIAL BUILDING INCLUDING PRIVATE HOMES

WHEREAS, the Council of the Borough of West Wyoming desires to protect and promote the safety of all residents in West Wyoming and therefore an amendment regulating and prohibiting the use of tiki torches in certain circumstances is added to the Ordinance prohibiting open burning;

NOW THEREFORE BE IT RESOLVED BY THE Council of the Borough of West Wyoming and it is hereby ordained by the authority of same:

Section 1. Tiki Torches are prohibited from being used in the front yards of any residential and/or commercial buildings.

Tiki torches can only be used in the backyards of residential properties and the following safety precautions must be taken:

Burn Tiki torches outside.

Place the Tiki torches on a stable surface at least six feet from any other combustible materials. They are not to be placed close to trees, patio umbrellas and/or the building/house. They cannot be burned in an enclosed patio/porch or indoors. Burning torches cannot be left unattended.

Section 2. Penalty. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding \$500.00, plus costs of prosecution, or by imprisonment for a period not exceeding 90 days, or both such fine and imprisonment in the discretion of the court. Each day that a violation continues to exist shall constitute a separate and distinct offense.

Section 3. Severability. The provisions of this ordinance shall be severable and, if any of the provisions hereof shall be invalid or unenforceable, the remaining provisions of this ordinance shall remain in effect.

Section 4. Repealer. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Duly and enacted and ordained by West Wyoming Borough Council on 13<sup>th</sup> day of April, 2009 and signed by the Mayor of the 13<sup>th</sup> day of April, 2009.

Richard Yarosavich  
President of Council

Joseph M. Herbert  
Mayor

ATTEST:

Thomas J. Pines  
Borough Secretary