

CHAPTER 7

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PART 1

OPEN BURNING

§7-101. Fires Prohibited on Public Property.

It shall be unlawful to any person or persons, firm or corporation, either directly or indirectly, to kindle or maintain any bonfire or other fire or authorize or permit any such fire to be kindled or maintained, on any public street, avenue, highway, road, alley or public land, within the Borough of Millersburg, Dauphin County, Pennsylvania, for the purpose of burning any paper, debris, straw, shavings, wood, leaves, rubbish or any other substance.

(Ord. 6-1969, 6/12/1969, §1)

§7-102. Fires on Private Property.

It shall be unlawful for any person or persons, firm, corporation or other entity either directly or indirectly, to kindle or maintain any bonfire or other fire, or authorize or permit any such fire to be kindled or maintained, on any private road, alley or land within the Borough of Millersburg, Dauphin County, Pennsylvania, for the purpose of burning any paper, debris, straw, shavings, wood, leaves, rubbish or any other substance.

(Ord. 6-1969, 6/12/1969, §2; as amended by Ord. 5-1984, 12/13/1984, §1)

§7-103. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. Said fine and costs may be collected by suit or summary proceedings brought in the name of the Borough of Millersburg.

(Ord. 6-1969, 6/12/1969, §4; as amended by A.O.

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§7-104. Conflict with State Regulations.

This Part shall not be interpreted to permit any fire prohibited by the regulations of the Pennsylvania Department of Environmental Protection. Such regulations shall be in addition to the restrictions contained herein.

(Ord. 6-1969, 6/12/1969, §5; as added by Ord. 18-1977, 2/10/1977, §1; as amended by A.O.

PART 2
SMOKE DETECTORS

§7-201. Definitions.

LEASED and/or RENTED DWELLING UNIT — any dwelling designated for permanent living quarters including, but not limited to:

- A. One-family dwellings.
- B. Two-family dwellings.
- C. One-family semi-detached dwellings.
- D. Row dwellings.
- E. Multifamily dwellings.
- F. Multifamily apartment or dwelling unit complexes.

which is provided on a lease or rental basis (including occupied and unoccupied dwellings). This Part shall not apply to any owner-occupied dwelling unit.

OWNER — person, persons or entity which holds legal title to real estate in question, according to the records in the Dauphin County Recorder of Deeds office.

SMOKE DETECTOR — a device which, operating on the ionization principle, omits an audible signal when activated by smoke or fire. The smoke detector must meet or exceed the standards set forth by Factory Mutual Research Corporation or Underwriter's Life. The smoke detector must have a self-contained power supply and must be capable of emitting an audible signal of at least 85 decibels at a range of 10 feet.

(Ord. 1-1996, 2/8/1996, §1)

§7-202. Location of Smoke Detectors Within Dwelling Units.

This Part mandates that there should be at least one smoke detector on each level of the dwelling unit. Additionally, owners are advised that smoke detectors should be installed and placed so as to provide adequate coverage for the structure in accordance with standards set forth in the National Fire Code, copies of which are on file at the Millersburg Fire Company, Millersburg, Pennsylvania.

(Ord. 1-1996, 2/8/1996, §2)

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§7-203. Responsibility for Maintenance.

1. It shall be the owner's responsibility and duty to install smoke detectors.
2. It shall be the owner's responsibility and duty to inform all persons residing in the dwelling unit of the presence and purpose of the smoke detector. It is suggested that the owner of the property obtain a statement from the tenant and/or occupiers of the property that they acknowledge the presence of an operable smoke detector in the unit and that the tenant or occupier will maintain said smoke detector in an operable condition after it has been installed.
3. It shall be the responsibility of the tenants or occupiers of the property to maintain the smoke detector in a working condition during the period of time that the tenants or occupants occupy said property.
4. The time within which to comply with this Part shall be 6 calendar months from the effective date of this Part.

(Ord. 1-1996, 2/8/1996, §3)

§7-204. Penalties for Noncompliance.

Any owner of a leased and/or rented dwelling unit who fails to comply with the provisions of this Part shall, upon conviction thereof, be sentenced to a fine of not more than \$100 for the first offense and for each offense thereafter shall be fined in an amount not less than \$200 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

(Ord. 1-1996, 2/8/1996, §5; as amended by A.O.)

§7-205. Penalties for Tampering With Smoke Detectors so as to Render Said Smoke Detector Inoperative.

Any person convicted of tampering with a smoke detector so as to render said smoke detector inoperative, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offence.

(Ord. 1-1996, 2/8/1996, §6; as amended by A.O.)