

Part 1

Outdoor Fires

§101. Fires Prohibited on Public Property. No person or persons shall set or maintain any fire upon any of the streets, sidewalks, alleys or public grounds in the Borough of Cressona, or burn or cause to be burned thereon any paper, boxes, rubbish, leaves or other material or substance of any kind. (Ord. 197, 9/7/1976, §1)

§102. Fires on Private Property Restricted. Out-of-door fires shall be permitted, upon private property, provided that each fire shall be built in and confined to a noncombustible container, covered with a screen of one-half (1/2) inch or smaller mesh, or in other suitable noncombustible container. No such fire shall be closer than twenty (20) feet from any building. No such fire shall be allowed to burn upon any day except between the hours of 7:00 A.M. and 9:00 P.M. (Ord. 197, 9/7/1976, §2)

§103. Fires Causing Offensive Odors Prohibited. No person or persons shall burn any garbage or other substance, the burning of which will cause disagreeable or offensive odors, at any time or at any place within the Borough limits. (Ord. 197, 9/7/1976, §3)

§104. Permission Required Prior to Burning Off Brush or Grass. The burning of brush or grass on an open field or lot is permitted, provided permission is first secured from the Fire Chief. (Ord. 197, 9/7/1976, §4)

§105. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00) plus costs and, in default of payment thereof, shall be subject to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 197, 9/7/1976, §5; as amended by Ord. 323, 7/6/1998)



Part 2

Chimneys, Fireplaces and Wood/Coal Burning Stoves

§201. Short Title. This Part shall be known and may be cited as the "Wood/Coal Burning Stove and Chimney Ordinance." (Ord. 219, 4/7/1980, §7)

§202. Permits. No owner, agent or tenant shall commence the installation of any chimney, fireplace, stove pipe, or wood/coal burning stove or appliance unless first obtaining a building permit from the Borough of Cressona. The fee for obtaining such building permit shall be as established by the Borough Council. Following completion of the installation and before placing the stove, appliance, chimney, or fireplace into use, the permittee shall notify the Building Inspector, who shall forthwith inspect the installation to determine that it is in compliance with the requirements of this Part. If found to be in compliance with this Part, the Building Inspector shall countersign the permit and note the date of his inspection. If found not to be in compliance, the Building Inspector shall notify the permittee, in writing, of the nature of the noncompliance, and the stove, chimney, fireplace, or appliance shall not be placed into use until the condition has been corrected and reinspected by the Building Inspector and the permit countersigned by him. (Ord. 219, 4/7/1980, §1)

§203. Installation. All wood/coal burning stoves or appliances shall be at least thirty-six (36) inches from all combustible materials. Where clearance is less than thirty-six (36) inches but more than eighteen (18) inches, the combustible surface shall be protected by one-quarter (1/4) inch noncombustible material spaced one (1) inch or more from the combustible surface. Adequate space shall be provided to permit air circulation. If clearance is less than eighteen (18) inches but more than twelve (12) inches, the combustible wall shall be protected with a four (4) inch brick veneer wall extending two (2) feet above and two (2) feet beyond each side. All other installations shall be as follows:

A. All wood/coal burning stoves or appliances that have circulating devices shall be at least twenty-four (24) inches from a combustible surface unless the appliance has a rating for lesser distance from combustible surface.

B. If the distance of any circulating wood/coal burning stove or appliance is twelve (12) inches to twenty-four (24) inches from the noncombustible surface, the surface shall be protected by one-quarter (1/4) inch noncombustible material spaced one (1) inch or more from the walls with adequate one (1) inch spacing from the floor to permit air circulation between wall and shield.

C. If the circulating wood/coal burning stove or appliance is eight (8) inches to twelve (12) inches from the noncombustible surface, the surface shall be protected by one-quarter (1/4) inch noncombustible material covered with twenty-eight (28) gauge metal spaced one (1) inch or more from the wall and floor to permit air circulation.

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D. Noncombustible floor material shall extend at least eighteen (18) inches beyond the sides and rear.

E. Where stove legs are at least eighteen (18) inches above a combustibile surface, a twenty-four (24) gauge sheet metal shall be used.

F. Where stove legs are between six (6) and eighteen (18) inches above a combustibile surface, a twenty-four (24) gauge sheet metal over one-quarter (1/4) inch layer of noncombustible material shall be used.

G. Where stove legs are six (6) inches or less above a combustibile surface, a four (4) inch hollow masonry pad should be laid or an approved noncombustible surface of an inch thickness shall be used.

(Ord. 219, 4/7/1980, §2)

§204. Chimney Connection.

1. All stove pipes shall be equal to or larger than the appliance flue connector.

2. All connector pipes shall be of a minimum of twenty-four (24) gauge black pipe or heavier.

3. All connector pipes shall rise from the stove toward the chimney at least one-quarter (1/4) inch per foot or more.

4. The crimped end of chimney connector pipe shall point toward the stove. Adapters may be used to permit the crimped end to point toward the stove.

5. No wood/coal burning stove or appliance may be connected to the same flue pipe as any other installation which serves as a primary heat source, or to any other heat source which uses a different type of fuel.

6. Single wall connector pipe shall not pass through the floor or wall. However, when necessary, a connector may pass through a wall under the following conditions:

A. Where a ventilated type metal thimble is used and is twelve (12) inches greater in diameter than the chimney connector.

B. Where a metal or burned fire-clay thimble is used and the thimble is surrounded on all sides by not less than eight (8) inches of brickwork or equivalent fireproofing material.

C. When all combustibile material is removed for a sufficient distance to provide not less than eighteen (18) inches clearance on all sides of the connector. Any materials used to close this opening must be noncombustible insulating material.

D. When the section of the connector pipe passing through the combustible material is replaced by a properly installed section of factory built insulated Class A pipe for solid fuels.

E. All stove pipe shall be a minimum of eighteen (18) inches from a combustible surface.

F. If stove pipe is twelve (12) to eighteen (18) inches from combustible surface, the surface shall be covered with one-quarter (1/4) inch noncombustible material spaced one (1) inch from the wall or ceiling used as a shield.

G. If stove pipe is nine (9) to twelve (12) inches from combustible surface, the surface shall be covered with one-quarter (1/4) inch noncombustible material with a twenty-eight (28) gauge sheet metal spaced one (1) inch from wall or ceiling.

(Ord. 219, 4/7/1980, §3)

§205. Chimneys and Fireplaces.

1. Except as herein provided, all chimneys in every building hereafter erected and all chimneys hereafter altered or rebuilt shall be constructed of brick, stone or reinforced concrete or UL listed Class A chimney. No masonry chimneys shall have walls less than four (4) inches in thickness and all chimneys shall be limed on the inside with fire clay chimney tile set in Portland Cement mortar. The lining shall be continuous from the bottom of the flue to its extreme height. No chimney shall be corbeled out more than six (6) inches from a brick wall and such corbeling shall consist of not less than five (5) courses of brick, unless the chimney shall not be corbeled out to such extent that the center of gravity of the chimney would be located so as to endanger the structure.

2. All chimneys shall project at least three (3) feet above the point of contact with a flat roof or two (2) feet above any roof surface within ten (10) feet horizontally off the chimney. Portland Cement may be used in the construction of chimneys with the addition of not more than ten percent (10%) by volume of hydrated lime. No chimney in any building shall have wooden supports of any kind. Supports shall be noncombustible and shall rest upon the ground or foundation walls. Concrete footings under new chimneys shall be as hereinbefore specified in the BOCA National Building Code, as now adopted or hereafter amended by the Borough, for concrete footings under foundation walls. [Ord. 323]

3. The fire-back of every fireplace hereafter erected shall not be less than eight (8) inches in thickness of solid brickwork, or air cell construction, nor less than twelve (12) inches of stone lined with fire brick. When a grate is set in a fireplace, a lining of fire brick at least two (2) inches in thickness shall be added to the fireback, or soapstone, fireclay, or cast iron may be used if solidly backed with brick or concrete. All smoke pipes shall enter the chimney through a flue thimble or its equivalent such that the construction shall make a fire-tight joint with the chimney tile flue liner.

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4. All flue holes when not in use shall be closed with tight-fitting metal covers. No wooden beams or joists shall be placed within one (1) inch of the outside face of the chimney or flue whether the same be for smoke, air or any purpose, except for hot air flues for heating purposes. No wood work shall be within four (4) inches of the back wall of any fireplace except if a chimney is built such that the thickness from the flue line is eight (8) inches or more. Necessary wood work may be placed against the chimney by using noncombustible material between and around the wood so placed with the approval of the Building Inspector.

(Ord. 219, 4/7/1980, §4; as amended by Ord. 323, 7/6/1998)

§206. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 219, 4/7/1980, §5; as amended by Ord. 323, 7/6/1998)

§207. Conflict of Ordinances; Effect of Partial Invalidity. In any case where a provision of this Part is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or code existing on the effective date of this Part, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Part is found to be in conflict with a provision of any other ordinance or code existing on the effective date of this Part which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Part shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Part. Any installations or alterations herein which may be caused directly or indirectly by the enforcement of this Part shall be done in accordance with all other applicable codes and ordinances. (Ord. 219, 4/7/1980, §6)