



# West Pikeland Township

ORDINANCE NO. 2026-01

## BURNING OUTDOOR ORDINANCE

WEST PIKELAND TOWNSHIP  
CHESTER COUNTY, PA

***AN ORDINANCE OF WEST PIKELAND TOWNSHIP, CHESTER COUNTY,  
COMMONWEALTH OF PENNSYLVANIA INSTITUTING PROVISIONS  
GOVERNING BURNING OUTDOOR***

[HISTORY: Repeals Ordinance No. 99-04, dated August 23, 1999, titled "Air Pollution Control Ordinance and Open Burning"]

**Section I. *Title***

This chapter shall be known and may be cited as the "West Pikeland Township Open Burning Ordinance."

**Section II. *Declaration***

It is hereby declared to be a matter of public health and safety to regulate the disposal of waste by open burning in the Township of West Pikeland. It is declared that if it does not grow, it cannot be burned. It is further declared that the dangers of open fires, the air pollution from fires, and the management of waste removal and disposal necessitate regulation to protect the peace, good order, and welfare of the Township and the health and safety of its citizens.

**Section III. *Definitions*:** The following words, terms, and phrases, when used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings ascribed to them:

**BURNING:** The act of consuming by fire; to flame, char, scorch, or blaze. As used in this ordinance, smoldering shall have the same meaning as burning and any smoldering shall be deemed a burning.

**LEAVES:** Fallen leaves from trees, bushes, and shrubs.

**PERSON:** Any individual, partnership, association, syndicate, company, firm, trust, corporation, department, bureau, agency, or other entity recognized by law as the subject of rights and duties.

**REFUSE/RECYCLABLE MATERIALS:** All perishable animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food; any solid or liquid material which, when ignited, creates toxic or noxious fumes, including, but not limited to, plastics, rubber, petrochemicals, furniture, carpets, rags, and old clothing; any waste not herein defined as "yard waste" or "trade waste."

**TOWNSHIP MANAGER:** The Manager of the Township of West Pikeland or their authorized designee, which shall include Law Enforcement and the Building and Zoning Officer.

**TRADE WASTE:** All solid or liquid waste material resulting from construction, building operations, demolition, or the performance of any business, trade, or industry, including, but not limited to, asphalt shingles, electric wiring, plastic products, cartons, paint, grease, oil and other petroleum products, chemicals, cinders, processed wood, lumber, and other forms of solid and liquid waste materials; provided, however, that trade waste shall not include any coal refuse associated with the mining or preparation of coal.

**WASTE:** Material discarded as worthless or of no use.

**YARD WASTE:** Waste resulting from the normal maintenance and upkeep of a yard or farm, including, but not limited to, limbs, branches, bushes, garden plants, etc. Yard waste shall not include any fire set in conjunction with the production of agricultural commodities.

**Section IV. *Burning of refuse, recyclables, and trade waste are prohibited:*** It shall be unlawful for any person to ignite or feed an open fire for the burning of refuse, recyclable materials, trade waste, or any waste or recyclables generated in a residential, commercial, institutional, or industrial establishment, on any parcel at any time of the year.

**Section V. *Agricultural commodities (more than 4 acres):*** A fire set in conjunction with the production of agricultural commodities whether unprocessed or unmanufactured. (i.e., butchering, smoking, etc.) is authorized.

**Section VI. *Open fires regulated (4-acres or less).***

a. It shall be unlawful for any person to ignite or feed an open fire except in accordance with the regulations set forth herein.

b. Burning of Yard Waste is allowed from November 1 through March 31 from:

1. 9:00 A.M. and 5:00 P.M.
2. no burning on federal holidays

c. Yard waste collected outside the allowed time period can either be chipped, composted, or bagged. The latter disposed of by a trash company or at a land fill.

d. Open fires must be at least (50) feet from a building and a property line within a clean area having a radius of fifteen feet with an extinguishing agent present and be attended by an individual no less than 16 years of age.

**Section VII. *Exemptions:*** The following types of fires are authorized year-round:

a. Fire solely for the cooking of food.

b. Campfires for warmth, fellowship, fire pits, or ceremonial purposes of private individuals, property owners or organizations such as Boy Scouts, Girl Scouts, etc.

**Section VIII. *Violations and penalties***

a. The West Pikeland Township Manager or their authorized designee, which shall include Law Enforcement, the Code Enforcement Building and Zoning Officer, Fire Marshall and Fire Department shall have the power and duty to enforce the provisions of this ordinance. Upon notice of any potential violation, the Manager, or their authorized designee, which shall include Law Enforcement and the Code Enforcement Building and Zoning Officer, shall document the violation and issue the notice of that violation.

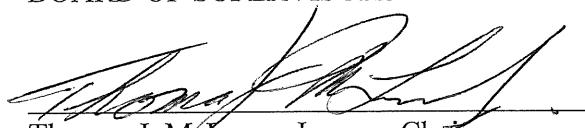
b. Any person violating any of the provisions of this ordinance shall, upon the initial offense, receive a written notice of the violation. Any person violating any of the provisions of this ordinance shall, upon the second offense and upon conviction thereof, be sentenced to pay a fine of \$100.00, together with the costs of prosecution. Any person violating any of the provisions of this ordinance shall, upon any subsequent offenses and upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, together with costs of prosecution, and in default of such fine and costs to imprisonment for a period not exceeding 30 days. Each day's continuance of a violation after notification shall constitute a separate offense.

**Section IX. Repealer:** All other ordinances or parts thereof, which conflict with this ordinance are hereby repealed.

**Section X. Validity:** The provisions of this ordinance are severable, and if any section, clause, sentence, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts, or provisions of this ordinance. It is hereby declared to be the intent of the Board of Supervisors that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.

ENACTED and ORDAINED this 20th day of January 2026.

WEST PIKELAND,  
BOARD OF SUPERVISORS



Thomas J. McLeewee Jr., Chair



Noreen Vigilante, Vice Chair

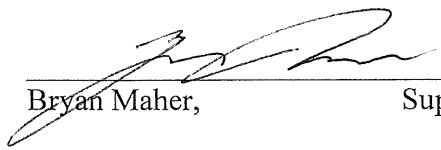
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Harold M. Hallman, III, Supervisor



Steven F. Costa,

Supervisor



Bryan Maher,

Supervisor

ATTEST:



Jennifer Wachsmuth, Secretary