

**Bill No: 4 of 2023**  
**Introduced: April 18, 2023**  
**By: Mayor Greg Lincoln**  
**Enacted: May 16, 2023**  
**Ordinance No: 1573**

**CITY OF CONNELLSVILLE**  
**FAYETTE COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 1510 RELATING TO BURNING WITHIN THE CITY; TO MODIFY THE PERMITTED DAYS AND TIMES FOR BURNING; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Connellsville has determined that air pollution from open burning may be detrimental to the health, comfort, living conditions, welfare, and safety of the residents of the City of Connellsville; and

**WHEREAS**, the City Council of the City of Connellsville has determined that there is a substantial risk of public damage to life and property because of public and private nuisances caused by outdoor fires deliberately or carelessly set and maintained; and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(10), affords the City of Connellsville with the power “to regulate and control the production and emission of unnecessary smoke or fly-ash from any chimney or other source;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(11), affords the City of Connellsville with the power “to regulate or prohibit the manufacture, sale, storage, or transportation of inflammable or explosive substances within the city, and to regulate or prohibit dangerous, obnoxious, or offensive business within the city;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(16), affords the City of Connellsville with the power “to prohibit nuisances;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(69), affords the City of Connellsville the power to ensure “that fire and emergency medical services are provided within the city by the means and to the extent determined by the city, including the appropriate financial and administrative assistance for these services;” and

**WHEREAS**, the Third-Class City Code, 11 Pa.C.S.A. § 12435, affords the City of Connellsville with the power “to enact, make, adopt, modify, repeal and enforce, in accordance with

this part, ordinances, resolutions, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth that are either of the following: (1) Expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures; (2) Necessary to the exercise of the powers and authority of local self-government in municipal affairs;” and

**WHEREAS**, the City of Connellsville previously adopted Ordinance No. 1510 regulating burning within the City of Connellsville; and

**WHEREAS**, the City Council of the City of Connellsville desires to update its burning regulations to limit the number of days and times during which burning may occur within the City of Connellsville.

**BE IT ENACTED AND ORDAINED** by the City Council of the City of Connellsville, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Amendment of Section 3(a) of Ordinance 1510 and Section 5-902(A) of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Section 3(a) of Ordinance No. 1510 and Section 5-902(A) of the Codified Ordinances of the City of Connellsville, by deleting Section 5-902(A) of the Codified Ordinances of the City of Connellsville in its entirety and replacing it with the following:

(a) “Permitted Times. Except as provided in Section 3(b) for certain recreational fires, open fires shall be permitted only during the following times:

Mondays	Prohibited
Tuesdays	Prohibited
Wednesdays	1:00 p.m. to 9:00 p.m.
Thursdays	Prohibited
Fridays	Prohibited
Saturdays	8:00 a.m. to 9:00 p.m.
Sundays	Prohibited”

**Section 2.** Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

**Section 3.** Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

**Section 4.** Effective Date. This Ordinance shall become effective immediately.


This Ordinance is duly ORDAINED AND ENACTED by at least three members of the City Council of the City of Connellsville at a duly advertised public meeting held on the 16<sup>th</sup> day of May, 2023.



ATTEST:

By:   
Vern Ohler, City Clerk

CITY OF CONNELLSVILLE

  
Greg Lincoln,  
Mayor and President of Council

**Bill No: 4 of 2023**  
**Introduced: April 18, 2023**  
**By: Mayor Greg Lincoln**  
**Enacted: May 16, 2023**  
**Ordinance No: 1573**

**CITY OF CONNELLSVILLE**  
**FAYETTE COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 1510 RELATING TO BURNING WITHIN THE CITY; TO MODIFY THE PERMITTED DAYS AND TIMES FOR BURNING; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Connellsville has determined that air pollution from open burning may be detrimental to the health, comfort, living conditions, welfare, and safety of the residents of the City of Connellsville; and

**WHEREAS**, the City Council of the City of Connellsville has determined that there is a substantial risk of public damage to life and property because of public and private nuisances caused by outdoor fires deliberately or carelessly set and maintained; and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(10), affords the City of Connellsville with the power “to regulate and control the production and emission of unnecessary smoke or fly-ash from any chimney or other source;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(11), affords the City of Connellsville with the power “to regulate or prohibit the manufacture, sale, storage, or transportation of inflammable or explosive substances within the city, and to regulate or prohibit dangerous, obnoxious, or offensive business within the city;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(16), affords the City of Connellsville with the power “to prohibit nuisances;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(69), affords the City of Connellsville the power to ensure “that fire and emergency medical services are provided within the city by the means and to the extent determined by the city, including the appropriate financial and administrative assistance for these services;” and

**WHEREAS**, the Third-Class City Code, 11 Pa.C.S.A. § 12435, affords the City of Connellsville with the power “to enact, make, adopt, modify, repeal and enforce, in accordance with

this part, ordinances, resolutions, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth that are either of the following: (1) Expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures; (2) Necessary to the exercise of the powers and authority of local self-government in municipal affairs;” and

**WHEREAS**, the City of Connellsville previously adopted Ordinance No. 1510 regulating burning within the City of Connellsville; and

**WHEREAS**, the City Council of the City of Connellsville desires to update its burning regulations to limit the number of days and times during which burning may occur within the City of Connellsville.

**BE IT ENACTED AND ORDAINED** by the City Council of the City of Connellsville, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Amendment of Section 3(a) of Ordinance 1510 and Section 5-902(A) of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Section 3(a) of Ordinance No. 1510 and Section 5-902(A) of the Codified Ordinances of the City of Connellsville, by deleting Section 5-902(A) of the Codified Ordinances of the City of Connellsville in its entirety and replacing it with the following:

(a) “Permitted Times. Except as provided in Section 3(b) for certain recreational fires, open fires shall be permitted only during the following times:

Mondays	Prohibited
Tuesdays	Prohibited
Wednesdays	1:00 p.m. to 9:00 p.m.
Thursdays	Prohibited
Fridays	Prohibited
Saturdays	8:00 a.m. to 9:00 p.m.
Sundays	Prohibited”

**Section 2.** Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

**Section 3.** Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

**Section 4.** Effective Date. This Ordinance shall become effective immediately.


This Ordinance is duly ORDAINED AND ENACTED by at least three members of the City Council of the City of Connellsville at a duly advertised public meeting held on the 16<sup>th</sup> day of May, 2023.

ATTEST:

By:

  
Vern Ohler, City Clerk

CITY OF CONNELLSVILLE

  
Greg Lincoln,  
Mayor and President of Council

**Bill No: 4 of 2023**  
**Introduced: April 18, 2023**  
**By: Mayor Greg Lincoln**  
**Enacted: May 16, 2023**  
**Ordinance No: 1573**

**CITY OF CONNELLSVILLE**  
**FAYETTE COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 1510 RELATING TO BURNING WITHIN THE CITY; TO MODIFY THE PERMITTED DAYS AND TIMES FOR BURNING; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Connellsville has determined that air pollution from open burning may be detrimental to the health, comfort, living conditions, welfare, and safety of the residents of the City of Connellsville; and

**WHEREAS**, the City Council of the City of Connellsville has determined that there is a substantial risk of public damage to life and property because of public and private nuisances caused by outdoor fires deliberately or carelessly set and maintained; and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(10), affords the City of Connellsville with the power “to regulate and control the production and emission of unnecessary smoke or fly-ash from any chimney or other source;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(11), affords the City of Connellsville with the power “to regulate or prohibit the manufacture, sale, storage, or transportation of inflammable or explosive substances within the city, and to regulate or prohibit dangerous, obnoxious, or offensive business within the city;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(16), affords the City of Connellsville with the power “to prohibit nuisances;” and

**WHEREAS**, the Third-Class City Code, 53 P.S. § 37403(69), affords the City of Connellsville the power to ensure “that fire and emergency medical services are provided within the city by the means and to the extent determined by the city, including the appropriate financial and administrative assistance for these services;” and

**WHEREAS**, the Third-Class City Code, 11 Pa.C.S.A. § 12435, affords the City of Connellsville with the power “to enact, make, adopt, modify, repeal and enforce, in accordance with

this part, ordinances, resolutions, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth that are either of the following: (1) Expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures; (2) Necessary to the exercise of the powers and authority of local self-government in municipal affairs;” and

**WHEREAS**, the City of Connellsville previously adopted Ordinance No. 1510 regulating burning within the City of Connellsville; and

**WHEREAS**, the City Council of the City of Connellsville desires to update its burning regulations to limit the number of days and times during which burning may occur within the City of Connellsville.

**BE IT ENACTED AND ORDAINED** by the City Council of the City of Connellsville, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Amendment of Section 3(a) of Ordinance 1510 and Section 5-902(A) of the Codified Ordinances of the City of Connellsville. The City Council hereby amends Section 3(a) of Ordinance No. 1510 and Section 5-902(A) of the Codified Ordinances of the City of Connellsville, by deleting Section 5-902(A) of the Codified Ordinances of the City of Connellsville in its entirety and replacing it with the following:

(a) “Permitted Times. Except as provided in Section 3(b) for certain recreational fires, open fires shall be permitted only during the following times:

Mondays	Prohibited
Tuesdays	Prohibited
Wednesdays	1:00 p.m. to 9:00 p.m.
Thursdays	Prohibited
Fridays	Prohibited
Saturdays	8:00 a.m. to 9:00 p.m.
Sundays	Prohibited”

**Section 2.** Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

**Section 3.** Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.


**Section 4.** Effective Date. This Ordinance shall become effective immediately.



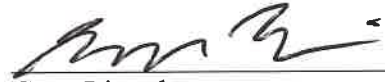
This Ordinance is duly ORDAINED AND ENACTED by at least three members of the City Council of the City of Connellsville at a duly advertised public meeting held on the 16<sup>th</sup> day of May, 2023.

ATTEST:

By:

  
Vern Ohler, City Clerk

CITY OF CONNELLSVILLE

  
\_\_\_\_\_  
Greg Lincoln,  
Mayor and President of Council