

**ORDINANCE 2009-003**

**AN ORDINANCE OF THE BOROUGH OF GREENCASTLE,  
FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 95 OF THE  
CODE OF THE BOROUGH OF GREENCASTLE**

**WHEREAS**, in the interest of preserving the health, safety, and welfare of the citizens of the Borough of Greencastle the Council of the Borough of Greencastle intends by this ordinance to place restrictions on the construction and operation of outdoor furnaces; and

**WHEREAS**, it is generally recognized that the burning of outdoor furnaces causes the emission of noxious and/or hazardous smoke, soot, fumes, odor, and air pollution is detrimental to the citizens health and deprive the citizens of full use and enjoyment of their property; and

**WHEREAS**, because of the close proximity of the dwellings within the Borough of Greencastle, the relatively small setback limitations within the Borough, the smoke, soot, fumes, odor, and air pollution that is emitted from outdoor furnaces which is hazardous to the citizens of the Borough of Greencastle, and in the interest of preserving the public welfare and safety, it is necessary to impose the following restrictions on the future construction and use of outdoor furnaces within the Borough of Greencastle.

**BE IT ENACTED AND ORDAINED**, by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

**SECTION I:** Chapter 95 of the Code of the Borough of Greencastle, entitled "Open Burning", subsection 1 thereof, entitled "Definitions", is hereby amended to add the definition of "OUTDOOR FURNACE" and to subsection 1, so that Section 95-1 will include the following definition:

**OUTDOOR FURNACE** – A boiler, stove or furnace fired by wood, coal, oil, or other fuel that is not located within a building inhabited by human or animals, used for the purpose of heating the principal structure or accessory building or other structure on the premises.

**SECTION II:** Chapter 95 of the Code of the Borough of Greencastle, entitled "Open Burning", subsection 3 thereof, entitled "Burning regulations; exceptions", is hereby amended to add a subsection, to be numbered §95-3A(3) so that the added section will read:

§95-3A(3) The construction and operation of outdoor furnaces are hereby prohibited within the Borough of Greencastle.

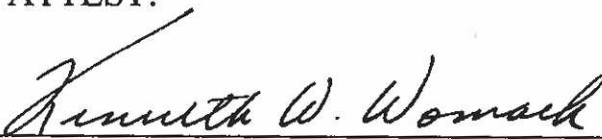
SECTION III: Repealer. All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.


SECTION IV: Savings Clause. In all other respects, Chapter 95 of the Code Borough of Greencastle shall remain as previously enacted and ordained.

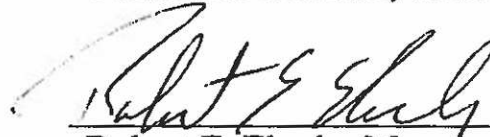
SECTION V: Effective Date. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 2nd day of November 2009 by the Council of the Borough of Greencastle, Franklin County, Pennsylvania.

ATTEST:

  
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Kenneth W. Womack, Secretary

  
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Charles R. Eckstine, President

  
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Robert E. Eberly, Mayor