

No. 199

AN ACT

HB 1464

Amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," authorizing the regulation of emissions from any source of any matter inimical to the health, safety or welfare of the public, business or property.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2195, act of July 28, 1953 (P. L. 723), known as the "Second Class County Code," is amended to read:

Section 2195. Power to Regulate.—The commissioners of the county shall have the power, by resolution or ordinance, to regulate [the production or emission of smoke from any chimney, smokestack or other source] all forms of air contaminants including but not limited to the discharging from stacks, chimneys, openings, buildings, structures, open fires, vehicles, processes, or any other source of any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic or radioactive substances, waste, or any other matter in such place, manner, or concentration inimical to the health, safety, or welfare of the public, business, or property within the county. Said regulations may include provisions for the payment of fees for examination of plans and issuing of permits, for inspection of fuel-burning devices, and issuing certificates of compliance with such regulations, and providing for fines and penalties, as hereinafter set forth, for the violation of any such regulation. The board of commissioners shall have discretion to determine the effective date of any resolution or ordinance promulgated by them, and in making such determination shall take into consideration the availability of fuel-burning devices suitable for burning high volatile bituminous coal smokelessly.

APPROVED—The 11th day of October, A. D. 1967.

RAYMOND P. SHAFER