

# **WINDSOR TOWNSHIP OPEN BURNING ORDINANCE**

## **SECTION 1: APPLICABILITY**

This ordinance is adopted in the interest of public safety to promote the general peace, health, safety and welfare of the residents of Windsor Charter Township. This ordinance provides for fires which may be set with permits, those which are prohibited, issuance of permits, general safety and authority provisions, and penalties for violations. For Village of Dimondale Residents see village burning ordinance.

## **SECTION 2: FIRES-NO PERMIT REQUIRED**

**2.1** Burning of household paper and cardboard from 1 and 2 family dwellings, including leaves and grass, if in a debris burner constructed of metal or masonry no more than 3 foot in circumference with a metal covering device. There shall be no opening larger than ¾ inch.

**2.2** Small campfires less than 3 feet in diameter at the base

**2.3** Fires for outdoor cooking

## **SECTION 3: FIRES-PERMIT REQUIRED**

**3.1** Any burning of brush piles, including leaves and grass.

**3.2** Fields of grass and brush.

**3.3** Large fires, more than 4 feet diameter at base.

## **SECTION 4: SEVERABILITY**

In the event that any provisions of this ordinance shall be found to be declared unconstitutional or invalid by a court having competent jurisdiction, the remainder of this ordinance shall not be affected.

## **SECTION 5: CHARGE FOR BURN PERMITS**

Effective January 1, 2013 by action of the Windsor Township Board of Trustees there is a yearly permit fee for those that would like to have fires that require a permit. The permit fee is payable by January 1 of every year and expires on December 31 of the year that the permit was applied for. There will be no prorated charge for those that sign up for the permit between January 1 and Dec 31.

## **SECTION 6: FEES FOR PERMIT TO OPEN BURN**

**6.1** Recreational Burning            NO Charge

**6.2** All other outdoor burning    **Permit \$25.00 expires Dec 31** of every year.

## **SECTION 7: GENERAL PROVISIONS**

**7.1** Debris burners shall be located not less than 15 feet from any structure and not less than 5 feet from any property line.

**7.2** Open fires shall be located not less than 50 feet from any structure and shall only be kindled with consent of the property owner. Campfires and fires for outdoor cooking may be less than 50 feet from structures if properly contained.

**7.3** Open fires, campfires, and fires for outdoor cooking, shall be constantly attended by a sufficient number of competent persons having readily available suitable and adequate equipment to control and/or extinguish the fire if needed.

**7.4** Open burning shall be done during daylight hours only. Campfires and fires for outdoor cooking may be maintained at any time.

**7.5** Any burning, inside or out the smoke from which creates a nuisance or health hazard is prohibited.

**7.6** The burning of material made of or coated with rubber, plastic, foam, chemically treated wood, textiles, electronics, chemicals, or hazardous materials is strictly prohibited at any time. Fires shall be started with paper or charcoal starter fluid only.

7.7 Notwithstanding any other provisions, all burning must be done safely with consideration given to all conditions, including wind and weather, and the persons starting such fires shall be held liable for all damages and violation charges which occur should the fire escape control.

7.8 The Fire Chief or his designee may prohibit any and or all burning due to weather or other circumstances which may be objectionable or hazardous.

7.9 The burning of building/demolition materials is prohibited.

7.10 Burning not specifically allowed by this ordinance is prohibited, unless specifically permitted by the Fire Chief.

### **SECTION 8: BURNING PERMITS**

8.1 No person shall start any fire requiring a permit covered in section 3 without a permit issued by the Fire Chief or his designee.

8.2 Burning permits may be signed up for at the Township Offices.

8.3 The person picking up the permit shall pay the associated fee before being authorized to burn. The permit is good until December 31 of the calendar year in which it is purchased.

8.4 When the permit is purchased the resident shall be given a copy of the burn ordinance which will include a permit number. This should be produced if requested by Emergency Services Personnel.

**8.5 When a permitted individual decides to burn he/she needs to call the station to activate their permit. The only information that the permitted individual needs to give over the phone will be the permit number. To activate the permit for 7 days individuals need to call 517-646-0893 Monday thru Saturday between the hours of 7am and 4pm.**

8.6 Even with a permit it may be determined at times either by Michigan DRNE or the Windsor Township Fire Chief that it is too hazardous to burn and may issue bans regardless of a permit.

8.7 The permit is only valid for the address(s) or location (s) that is listed on the burn permit application *and may only contain materials that have been generated on the site in which the permit is issued.* A permitted individual shall not transport or allow materials to be transported to the site to be burned under the permit.

### **SECTION 9: FINES/PENALTIES/REVOKING OF PERMIT**

9.1 By action of the Windsor Township Board of Trustees persons found to be burning in violation of this ordinance shall be billed in the following amounts.

<b>9.2</b>	<b>First offense</b>	<b>Warning Letter</b>
<b>9.3</b>	<b>Second offense</b>	<b>\$500.00</b>
<b>9.4</b>	<b>Third Offense</b>	<b>\$1,000.00</b>

9.5 Permitted individuals who reach the third offense within the same calendar year may be charged in accordance to **article 9.4** for all future violations even if in another calendar year.