

**VALLEY TOWNSHIP
ALLEGAN COUNTY, MICHIGAN**

**BURN ORDINANCE
ORDINANCE NO: 214**

**ADOPTED: May 14, 2001
EFFECTIVE: June 14, 2001**

An ordinance to regulate the setting of fires, and to provide penalties for the violation thereof, and to provide a method for the collection of costs and expenses of the township caused by the setting of fires.

THE TOWNSHIP OF VALLEY ORDAINS:

Section 1: Applicability

This ordinance is adopted in the interest of public safety, and is designed to promote the general peace, health, safety, and welfare of Valley Township.

Section 2: Permits-Hours to Burn

This ordinance provides for the control of fires, burning of trash and rubbish, obtaining of permit, hours to set fires and the prevention of foul odors caused by burning. Hours of burning are from dawn until dusk.

Section 3: Permits-Where to Obtain

No person, partnership, firm, association or corporation, shall within the limits of Valley Township, set or cause to be set, burn or cause to be burned, at any time any old building, debris from building torn down, brush, limbs or trees on any lot or parcel of ground within Valley Township unless such person shall first obtain a permit for such fire or fires by calling the Allegan County Central Dispatch at 269-686-5222 between the hours of 6:00 a.m. and 6:00 p.m. (see Section 7 Domestic Fires for further explanation(s). Beginning April 1, 2000 burn permits will be issued via an automated telephone system. You will need to provide the following information: Township that you are burning in, address of the burn, name and telephone number. On days that burning is not allowed the burn permit line will be updated with current burn permit conditions. Listen carefully to the menu.

Section 4: Permits-Requests For

Any person, partnership, firm, association or corporation, deciding to set or start a fire must obtain a permit from the fire chief which states the name and address of the applicant, the location of the land and premises where such fire is to be set, and the time contemplated for setting such fire. Said permit to be in accordance with Public Act 329 of 1969, as amended; MCLA 320.21 See exceptions for domestic fires in Section 7.

Section 5: Foul Odors

No person shall burn garbage, animal carcasses, refuse, trash, rubbish, or like material giving off foul odors, at any time. This section applies to domestic, commercial and industrial fires.

Section 6: Permits-Commercial or Industrial

No person shall set or cause to be set, burn or cause to be burned, any paper, trash, rubbish, leaves, cut grass or weeds, unless confined within a fireproof container constructed of metal or masonry with an approved spark arrestor with openings no larger than $\frac{3}{4}$ of an inch. Hours of burning shall be from dusk to dawn. Burners of the metal drum or portable type shall not be located less than 25 feet from any building or less than 25 feet from the adjoining property line.

Masonry or heavy metal constructed burners or incinerators shall be constructed to withstand the heat of 1200 degrees Fahrenheit and shall be located not less than 10 feet from a combustible building or property line. Masonry or heavy metal burners or incinerators shall be constructed with or attached to a suitable stack, the top of the stack to be at least 3 feet above the eave line of adjoining building if such building is less than 15 feet from the stack. All stacks are to be properly capped with approved spark arrestors.

Section 7: Domestic Fires

A "domestic fire" is any fire around the home, within the curtilage of the dwelling where the material to be burned has been properly placed in a debris burner constructed of metal or masonry with an approved spark arrestor with openings no larger than $\frac{3}{4}$ of an inch. Burners of the metal drum or portable type shall not be located less than 25 feet from any building or less than 25 feet from the adjoining property line. Domestic fires also include campfires which must be at least 12" deep in the ground and the edge encircled with stone. No permit shall be required for domestic fires. All domestic fires must be constantly supervised.

Section 8: Penalties

Any person, partnership, firm, association or corporation who shall set or start an open fire without a permit as required by this ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be subject to a fine or penalty of not less than \$250.00 or more than \$1,000 (plus all related expenses including but not limited to attorney fees, court costs, restoration fees, etc.) or to imprisonment in the Allegan County Jail not exceeding 3 days or both such fine and imprisonment: or who sets an open fire which necessitates calling the Allegan Township Fire Department, or any other fire department. And Valley Township may sue in any court of competent jurisdiction for civil damages and may recover such costs and expenses incurred by them from any person, partnership, firm, association or corporation who sets such an open fire.

Section 9: Effective Date

This ordinance shall become effective 30 days after adoption by the Valley Township Board.