

ARTICLE III. - OPEN BURNING

Footnotes:

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State Law reference— *Open burning of leaves and grass clippings, MCL 324.11522.*

Sec. 16-50. - Purpose.

The city hereby finds the burning of rubbish, household waste, leaves and other yard wastes, to be a matter of public health concern. The burning of these materials results in the production of air pollution and is offensive to the senses. The city finds that these deleterious effects can be mitigated by the prohibition of burning. The regulation of open burning has been deemed to be in the interest of the preservation of public health, safety and welfare.

(Code 1998, § 11-71; Code 2009, § 16-50; Ord. of 10-1-1996; Ord. No. 199, 5-16-2006)

Sec. 16-51. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Household waste means any and all waste products generated in the day-to-day operations of a household, excluding human waste which is disposed of through a sanitary sewer or septic system.

Open burning means a fire from which the product of combustion is emitted directly into the open air without passing through a stack or chimney.

Rubbish means unwanted or useless material including food, paper and building debris.

Yard waste includes leaves, brush, tree stumps and limbs, vine growth, vegetation, yard clippings and paper.

(Code 1998, § 11-72; Code 2009, § 16-51; Ord. of 10-1-1996; Ord. No. 199, 5-16-2006)

Sec. 16-52. - Prohibited open burning.

(a) No person shall cause, allow or maintain any open burning of any rubbish or household waste material in any incinerator, barrel, can, pit or similar container or enclosure.

(b) No person shall permit or engage in the act of burning leaves or other yard wastes within the corporate limits of the city.

(Code 1998, § 11-73; Code 2009, § 16-52; Ord. of 10-1-1996; Ord. No. 199, 5-16-2006)

Sec. 16-53. - Permissible open burning.

The following open fires shall be permitted and all permissible open burning must be attended at all times:

- (1) Preparation of food in open pits or conventional charcoal or gas grills.
- (2) Campfires not exceeding three feet in diameter and flames three feet in height.
- (3) Controlled fires for training of firefighters.
- (4) Personal use of smoking materials.
- (5) Use of matches or lighters for lighting authorized fires.
- (6) Burning of charcoal, kiln-dried lumber scraps or non-ash producing fuel for the heating of building materials at construction sites or for the warmth of workers when such burning occurs in metal containers located no less than 15 feet from other combustible material.
- (7) Approved and properly installed heating units such as fireplaces and wood stoves.

(Code 1998, § 11-74; Code 2009, § 16-53; Ord. of 10-1-1996; Ord. No. 199, 5-16-2006)

Sec. 16-54. - Enforcement.

The police department is authorized to enforce the provisions of this article.

(Code 1998, § 11-76; Code 2009, § 16-54; Ord. of 10-1-1996; Ord. No. 199, 5-16-2006)