

ORDINANCE 199
AN ORDINANCE TO AMEND CHAPTER 11, ARTICLE IV.
OPEN BURNING OF THE CITY OF EAST JORDAN CODE OF ORDINANCES

ARTICLE IV. OPEN BURNING

Sec. 11-71. Purpose.

The City of East Jordan 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.

(Ord. of 10-1-96)

Sec. 11-72. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

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 are 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.

(Ord. of 10-1-96)

Sec. 11-73. Prohibited open burning.

No person, firm or corporation 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.

No person, firm or corporation shall permit or engage in the act of burning leaves or other yard wastes within the corporate limits of the city.

(Ord. of 10-1-96)

Sec. 11-74. Permissible open burning.

The following open fires shall be permitted:

- (1) Preparation of food in open pits or conventional charcoal or gas grills.
- (2) Campfires in authorized pits.
- (3) Controlled fires for training of firefighters.
- (4) Personal use of smoking materials.
- (5) Use of matches for lighting authorized fires.
- (6) Burning of charcoal, kiln-dried lumber scraps or nonash producing fuel for the heating of building materials at construction sites or for the warmth of worker 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.
- (8) Properly permitted fires as addressed in section 11-75.

(Ord. of 10-1-96)

Sec. 11-75. Burning allowed by permit.

No person, firm or corporation shall kindle or maintain any bonfire, yard waste or rubbish fire without a permit from the fire chief. The application for such authorization shall be initiated through the office of the city clerk.

The fire chief may issue a permit for a bonfire, yard waste or rubbish fire only after making findings of fact that:

- (1) The fire is not likely to cause substantial amounts of air pollution;
- (2) The benefits of the fire outweigh the overall detriment of the health, safety and welfare of the city; and
- (3) Atmospheric conditions or local circumstances do not make such fire hazardous.

(Ord. of 10-1-96)

Sec. 11-76. Enforcement.

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

(Ord. of 10-1-96)

IT IS PROPOSED THAT THE STATUTE BE AMENDED AS FOLLOWS:

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(Ord. of 10-01-96)

Sec. 11-72. Definitions.

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(Ord. of 10-01-96)

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No person, firm or corporation 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.

No person, firm or corporation shall permit or engage in the act of burning leaves or other yard wastes within the corporate limits of the city.

(Ord. 10-01-96)

Sec. 11-74. 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 (3) feet in diameter and flames three (3) 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 nonash producing fuel for the heating of building materials at construction sites or for the warmth of worker 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.

(Ord. of 10-1-96)

Sec. 11-75. Reserved.

Sec. 11-76. Enforcement.

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

(Ord. of 10-1-96)

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