

**LIMA TOWNSHIP  
OPEN BURNING ORDINANCE**

Ordinance # 31

**SECTION 1: TITLE:**

- 1.1 This Ordinance shall be known as the Open Burning Ordinance for Lima Township.

**SECTION 2: PURPOSE**

- 2.1 This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, safety and welfare of the citizens of the Township of Lima, Michigan by regulating the air pollution and fire hazards of open burning.

**SECTION 3: APPLICABILITY**

- 3.1 This ordinance applies to all Open Burning within Lima Township, Michigan.
- 3.2 Cooking fires are excluded from this ordinance.

**SECTION 4: OPEN BURN PERMIT REQUIRED**

- 4.1 A permit shall be required for open burning and shall be obtained by contacting the Fire Department that services the area. No fee or written application shall be required for an open burning permit.

**SECTION 5: OPEN BURNING OF CLEAN WOOD, NATURAL MATERIALS, DRIED VEGETATION AND GRASS CLIPPINGS**

- 5.1 Open burning shall consist of clean wood, natural materials and dried vegetation including leaves and grass clippings. Clean wood means natural wood which has not been painted, varnished or coated with a similar material has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products. Fires shall not contain rubbish, plastic, leather or petroleum-based material, nor shall they contain flammable or combustible liquids or any other hazardous materials or substances.
- 5.2 Open Burning of clean wood, natural materials, dried vegetation and grass clippings is allowed only in accordance with all of the following provisions:
  - 5.2.1 All open burns shall be extinguished by dusk and attended to at all time by a responsible adult.
  - 5.2.2 All open burning shall occur at least 50 feet or more from any structure and at least 50 feet or more from all property lines and must be a reasonable distance from any building so as not to cause a nuisance from the smoke or an odor to the neighboring properties.

5.2.3 Open burning shall be conducted only during daylight hours.

5.2.4 There must be a means at hand at all times for controlling the fire, i.e., water hose, shovel or other such tools necessary to control the fire.

#### **SECTION 6: RESPONSIBILITIES OF THE FIRE CHIEF**

- 6.1 The Fire Chief or other designated fire official shall determine the duration of any open burning.
- 6.2 The Fire Chief or other designated fire official may prohibit any or all open burning which is or could be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous or objectionable.
- 6.3 The Fire Chief or other designated fire official may order the extinguishment of any permitted open burning which creates or adds to an existing hazardous or objectionable condition. The permit holder shall immediately cease open burning and extinguish the fire when directed by the Fire Chief or other designated fire official.

#### **SECTION 7: LIABILITY**

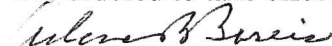
- 7.1 At the expense of the property owner the fire department shall extinguish any unattended or unpermitted fires.
- 7.2 At the expense of the property owner the fire department shall extinguish any objectionable or offensive fires if open burning is not immediately extinguished per Section 6 requirements.

#### **SECTION 8: EFFECTIVE DATE**

- 8.1 This Ordinance shall become effective the 30<sup>th</sup> day of May, 2013.

#### **CERTIFICATION**

I, Arlene Bareis, duly elected Clerk of Lima Township, County of Washtenaw, State of Michigan, do hereby certify the foregoing to be a true copy and the whole of a resolution adopted by the Lima Township Board on May 13, 2013 at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth, the said resolution was ordered to take effect.

  
Arlene Bareis, Lima Township Clerk

Adopted: May 13, 2013  
Published: May 23, 2013  
Effective: May 30, 2013