

BLUMFIELD TOWNSHIP, SAGINAW COUNTY, MICHIGAN

OPEN BURN ORDINANCE #2023-3

Adopted:

An ordinance to promote the public health, safety, and welfare of the residents of Blumfield Township; to adopt an open burn ordinance to regulate all open burning and specifically control the burning of yard waste, recreation fires, and cooking fires.

SECTION 1: TITLE

This ordinance shall be known and may be cited as BLUMFIELD TOWNSHIP OPEN BURN ORDINANCE.

SECTION II: PERMITS FOR OPEN BURNING

Burning permits are required to conduct all open burning, excluding cooking fires within a barbeque pit. Permits may be obtained by calling the fire department.

Burn permits are good for three (3) days. Longer duration permits may be acquired if conditions permit.

The Fire Chief reserves the right to suspend all burning permits at any time atmospheric conditions warrant.

SECTION III: MATERIAL RESTRICTIONS

Open burning of household rubbish, tires, building material (treated and untreated), and paper products is strictly prohibited.

The use of a burn barrel does not exclude this rule.

SECTION IV: LOCATION AND TIME OF OPEN BURNING

1. Open burning of any unrestricted material shall not be conducted within 50 feet of any structure or other combustible material. Conditions which could cause the fire to spread to within 50 feet of a structure shall be eliminated prior to ignition.
2. Recreational fires and cooking fires shall not be conducted within 25 feet of a structure unless contained in a barbeque pit. Conditions that could cause the fire to spread within 25 feet of a structure shall be eliminated prior to ignition.
3. All open burning shall only be permitted during daylight hours, unless specifically allowed otherwise by a permit of the Blumfield Township Fire Department.
4. Recreational fires and cooking fires are permitted after dark as long as they meet the criteria of such fires. Leaves, grass, building materials, and household refuse will not be accepted as a cooking or recreational fire and will not be permitted.

SECTION V: AGRICULTURAL

Open burning of weeds, brush, and crop stubble on agricultural lands is allowed if conducted in accordance with other applicable provisions of this ordinance.

SECTION VI: FIRE EXTINGUISHING EQUIPMENT

A garden hose connected to a water supply or other approved fire extinguishing equipment (buckets containing water or sand; shovels; fire extinguishers with a minimum 4-A rating) shall be readily available for use at all open burning sites. To be considered “readily available” the extinguishing equipment shall be within 10 feet of the fire at all times.

SECTION VII: ATTENDANCE

All open burning shall be constantly attended by a person of at least 18 years of age, knowledgeable in the use of the fire extinguishing equipment required by this permit, and familiar with the limitations which restrict open burning. Said attendant shall supervise all open burning until the fire has been extinguished.

SECTION VIII: LIABILITY

A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

SECTION IX: RIGHT OF ENTRY

The fire Chief or any authorized officer, agent, employee, or representative of the Township of Blumfield may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance.

SECTION X: DISCONTINUANCE

The Fire Chief or its designee is authorized to require that open burning be immediately discontinued if the Fire Chief or its designee determines it to constitute a hazardous condition.

All allowed open burning shall be conducted in a safe, nuisance-free, manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways, railroads, or airfields. Open burn shall be conducted in conformance with all local and state fire protection regulations.

SECTION XI: CONFLICTING PROVISIONS REPEALED

All other ordinances or parts of ordinances conflicting with provisions of this ordinance are hereby repealed.

SECTION XII: PENALTIES

Any person who violates any provisions of this ordinance is responsible for a municipal civil infraction.

SECTION XIII: DEFINITIONS

Campfire - a small outdoor fire intended for recreation or cooking but not including a fire intended for disposal of waste wood or refuse.

Clean wood - 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.

Construction and demolition waste - building waste materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

Fire Chief - the Chief of the Blumfield Township Fire Department or other person designated by the Fire Chief.

Municipality - a county, township, city, or village.

Open burning - kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney. This includes burning in a burn barrel.

Outdoor burning - open burning or burning in an outdoor wood furnace or patio wood-burning unit.

Outdoor wood furnace - also known as an outdoor wood-fired boiler, outdoor wood-burning appliance, or hydronic heater, means a fuel-burning device that is designed to burn clean wood or other approved solid fuels and is not located within a building intended for habitation by humans or domestic animals; and heats building space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

Patio wood-burning unit - a chiminea, patio warmer, or other portable wood-burning device used for outdoor recreation and/or heating.

Refuse - any waste material except trees, logs, brush, stumps, leaves, grass clippings, and other vegetative matter.