

**BACKUS TOWNSHIP
BURNING ORDINANCE
ORDINANCE NO. 10**

An ordinance to protect the health, safety and general welfare of the persons and property within Backus Township, Roscommon County, Michigan, by prohibiting open burning and restricting other burning and defining and prohibiting land filling or incineration of yard clippings.

Section 1: Title

This ordinance shall be known and cited as the Backus Township Burning Ordinance.

Section 2. Definitions

- A. "Open burning" shall include, but not be limited to burning to, burning on the ground or other flat surfaces, burning done in simple outdoor structures, receptacles or other devices which are designed primarily to contain the materials being burned or to minimize the risk of fire and which do not provide effective control of air pollutants generated.
- B. "Yard clippings" means leaves, seaweed, grass clippings, vegetable or other garden debris, shrubbery, or brush or trimmings less than four (4) feet in length and two (2) inches in diameter, that can be converted to compose humus. This term does not include stumps, agricultural wastes, animal waste, roots, sewage sludge, or garbage.

Section 3: Burning Regulations

- A. All burning shall be performed in an approved container constructed of steel, brick or masonry. The container shall have proper venting and screening over the top.
- B. The burning of trees, logs, brush and stumps in rural areas may be allowed under such conditions as are specified in Public Act 267 and burning permit issued by Michigan Department of Natural Resources.
- C. Bonfires shall be permitted only when properly supervised and with a burning permit issued by the Michigan Department of Natural Resources.
- D. The following types of open burning are not permitted with the Township of Backus:
 - 1. Open burning of excess construction or demolition materials.
 - 2. Open burning of non-combustible materials such as garbage or refuse.
 - 3. Open burning of yard clippings.
 - 4. Open burning of automobiles or parts thereof.
 - 5. Open burning of any materials on the ground at a private residence
 - 6. Open burning of any materials at multiple family, commercial, or industrial sites, whether on the ground or in a container.

- E. It shall be a nuisance and unlawful for any person to burn or allow to be burned at any time or place any materials of any kind which exude obnoxious odors, or when such fire emits sparks or burning embers upon adjoining, adjacent, neighboring or nearby premises.

Section 4: Penalties

Any person, firm or corporation violation any provision of this ordinance shall upon conviction thereof be guilty of a misdemeanor and be subject to a fine of not to exceed \$100 or by imprisonment not to exceed 90 days, or both such fine and imprisonment, at the discretion of the court. Additionally, violators may be ordered to reimburse the township in full for all costs incurred in putting out any fire started in violation of this ordinance.

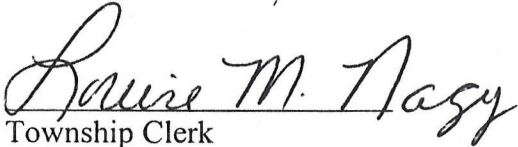
Section 5: Effective Date

This ordinance shall take effect immediately.

Adopted: August 05, 2002

This ordinance has been adopted by the Backus Township Board at a regular meeting scheduled by the Township Board on August 05, 2002 and will be published August 22, 2002 as Ordinance No. 10.

Township of Backus


Township Clerk

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