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Code of Ordinances—Chapter 12

Fire Prevention and Protection*

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* *State Law References: State Fire Prevention Code, MCL 29.1 et seq.; Explosives Act, MCL 29.41 et seq.; Township Fire Protection, MCL 41.801 et seq.; Crimes Relating to Explosives and Bombs, MCL 750.200 et seq.; Crimes Relating to Fires, MCL 750.240 et seq.*



ARTICLE I. IN GENERAL

Secs. 12.1 to 12.20. Reserved.

ARTICLE II. OPEN BURNING*

* *State Law References: Air Pollution Control, MCL 324.5501 et seq.; Open Burning of Leaves and Grass Clippings, MCL 324.11522.*

Sec. 12.21 Burn permit requirements.

No person, partnership, association, corporation or other entity, or employee or agent thereof, shall within the limits of the township, start, set, or cause to be started or set, an open fire, except an approved "domestic fire" as defined in [Section 12.25](#), without a verbal or written permit from the Looking Glass Regional Fire Authority (LGRFA).

Sec. 12.22 Burning permit required.

Any person, partnership, association, corporation or other entity, or employee or agent thereof, desiring to start or set an open fire, except an approved "domestic fire" as defined in [Section 12.25](#), shall make application for a verbal or written permit to the Looking Glass Regional Fire Authority (LGRFA), which application shall state the name and residence of the applicant, the owner of the property and whether consent of the owner to burn on the property has been given, the location of the premises where such fire is to be set, the time, day and date contemplated for setting such fire, the reason for setting such fire, type of material to be burned and such other information as the township board or the fire chief may from time to time require.

Sec. 12.23 Approval of application.

If such application is approved, the Looking Glass Regional Fire Authority (LGRFA) shall forthwith issue a verbal or written permit to said applicant, provided that such a permit does not conflict with the provisions of any applicable local, state or federal law.

Sec. 12.24 Violation.

Any person, partnership, association, corporation or other entity, or employee or agent thereof, who violates or fails to comply with any provision of this Article or who starts, sets, or causes to be started or set, an open fire which necessitates calling the Looking Glass Regional Fire Authority (LGRFA) or any other fire department on behalf of the township, shall pay to the township all charges applicable that are in the emergency schedule of fees adopted by resolution of the township board of trustees. The township may sue in any court of competent jurisdiction for civil damages and to recover such costs and expenses. Also, see [Chapter 2, Article V, Division 2](#) and any future ordinances that may be adopted or revised for an update on the township fire protection and ambulance service for the recovery of costs for the fire run.

Sec. 12.25 Domestic fires.

As used herein, an approved "domestic fire" falls in the following categories:

1. Any fire where the material to be burned has been placed in a fireproof container, constructed of metal or masonry, with an approved spark arrestor, and with openings not larger than three-fourths of an inch. Such fireproof containers shall be located not less than 300 feet from any neighboring house or structure. Commercial or industrial properties are not allowed to open burn at anytime. Such fires shall be burned only between the hours of sunrise and sunset.
2. Any fire where the material to be burned has been placed in a patio burner or chimnea, constructed of metal, clay or masonry. Such patio burners shall be located not less than 25 feet from any neighboring house or structure.
3. Any campfire with a total fuel area of three feet or less in diameter and two feet or less in height. Such campfires shall be located not less than 75 feet from any neighboring house or structure and no closer than 25 feet to any structure.

Sec. 12.26 Open fires.

An open fire, such as a brushfire shall require a verbal or written permit from the Looking Glass Regional Fire Authority (LGRFA). No fire shall be left unattended until it has been completely extinguished.

Sec. 12.27 Burning of garbage, hazardous materials, etc.

In addition to any substances and materials specifically prohibited by the state department of environmental quality, pursuant to Part 55 of Public Act No. 451 of 1994 (MCL 324.5501 et seq.), and the state department of natural resources, pursuant to Part 515 of Public Act No. 451 of 1994 (MCL 324.51501 et seq.), no person, partnership, association, corporation or other entity, or employee or agent thereof, shall burn garbage, hazardous waste or explosives, animal carcasses, animal waste, petroleum based products, plastics, shingles, demolition or construction materials, buildings, tires, automobiles or parts thereof, refuse from multiple dwellings, or any material giving off foul odors, at anytime. The provisions of this Section shall also apply to any approved "domestic fire" as defined in [Section 12.25](#).

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Sec. 12.28 Violations deemed a nuisance.

Any violation of this Article shall be deemed a nuisance per se, and the township board, its agents or law enforcement officers may take action to abate such nuisance in any court of competent jurisdiction.

