

# Open Burning Requirements

## DEFINITIONS

- "Recreational fire" means a small outdoor fire such as a campfire or bonfire intended for pleasure, religious, ceremonial, cooking, warmth or similar purposes, or but not including a fire intended for disposal of waste wood or refuse.
- "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.
- "Construction and demolition waste" means 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.
- "Outdoor burning" means open burning, recreational fires, or patio wood burning unit.
- "Open burning" means 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.
- "Refuse" means any waste material except trees, logs, brush, stumps, leaves, grass clippings, and other vegetative matter.

## OPEN BURNING OF REFUSE

- Open burning of refuse must meet the following conditions.
  - The burning does not create a nuisance (foul odors or offensive smoke).
  - The burning is conducted in an approved container more than 50 feet from any building or 10 feet from the adjoining property line.
  - A permit is required for burning in an approved burn container.
- Open burning of construction or demolition waste, hazardous substances, furniture, appliances, tires, plastic materials, treated or painted wood, garbage, trash, rubbish, animal carcasses, or other materials that create a foul or offensive odor is prohibited.

## OPEN BURNING OF TREES, LOGS, BRUSH, STUMPS, LEAVES, AND GRASS CLIPPINGS.

- Open burning of trees, logs, brush, stumps, leaves, and grass clippings is allowed only in accordance with all of the following provisions.
- Open burning of trees, logs, brush, and stumps must be conducted at least 1,400 feet from an incorporated city or village limit.
- Open burning of leaves and grass clippings may be conducted from April 1<sup>st</sup> through May 31<sup>st</sup> and September 15<sup>th</sup> through November 15<sup>th</sup>.
- Except for barbecue, gas, and charcoal grills, no open burning shall be undertaken during periods when the Governor of Michigan has issued a burning ban applicable to the area or where local weather conditions do not permit safe burning.
- 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 burning shall be conducted in conformance with all local and state fire protection regulations.
- Open burning shall be conducted only on the property on which the materials were generated and must be limited to one burn pile that is no greater than a 10 feet X 10 feet area.
- Outdoor recreational fires are allowed provided they do not cause a nuisance. The fuel area of the fire must be 3 feet or less in diameter and 2 feet or less in height and must be at least 25 feet from any structure.
- Open burning under this section shall only be conducted at a location at least 100 feet *from* the nearest building which is not on the same property and 50 feet from the nearest structure on the property and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.
- Except for recreational fires, open burning shall only be conducted during daylight hours.
- No materials may be burned upon any street, curb, gutter, and sidewalk or on the ice of a lake, pond, stream, or water body. No open burning is permitted within 25 feet of any body of water unless it is in a metal container that prevents run off or contamination into the lake.
- Except for barbecue, gas, and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition, exterior window opening, or exit.

- No open burning may be conducted on days when the Department of Environmental Quality has declared an “air quality action day” applicable to Tyrone Township.

#### **AGRICULTURAL BURNING**

- Open burning of weeds, brush, and crop stubble on agricultural land shall comply with those mentioned above except for agricultural burning may be done at anytime during the year.

#### **PATIO WOOD-BURNING UNITS**

- The patio wood-burning unit shall only burn clean wood and shall be located at least 25 feet from the nearest structure which is not on the same property or cause a nuisance to neighbors. A patio wood-burning unit shall not be used on a balcony of any structure.

#### **BURN PERMITS**

- No person shall start or maintain any outdoor burning or open burning covered under this section without a burning permit issued by **Tyrone Township** Supervisor’s Office.
- All open burning including recreational fires and burn barrels require a burn permit. Barbeques, gas or charcoal grills, cook stoves, and patio burning wood units do not require a burn permit.
- The Fire Chief or the State of Michigan may temporarily suspend open burning whether a burn permit is issued or not. Because weather conditions significantly vary locally, it is the responsibility of the property owner to assure burning can be done safely.
- Any violation of the ordinance or the burning permit shall void the permit.
- Open burning shall be constantly supervised by an adult (>17) and the person shall have readily available for use fire extinguishing equipment as may be necessary for the total control of the fire.

#### **LIABILITY**

- A person utilizing or maintaining an outdoor fire shall be responsible for controlling the fire set, for all fire suppression costs, and any other liability resulting from personal or property damage caused by the fire including costs by Tyrone Township from the intervention of the fire department or any other public safety unit.

#### **ENFORCEMENT AND PENALTIES**

- In the event that the fire department is called to a site where anyone who has violated any provision of this permit or fails to control a fire shall be responsible for the cost of the fire and all costs incurred by the township for a municipal civil infraction fraction. Tyrone Township reserves the right to pursue collection for fines or costs not paid through all legal means including court action and/or placing a lien on the property

#### **OPEN BURNING ORDINANCE #44**

**NOTE: THIS IS A SYNOPSIS OF THE BURNING ORDINANCE #44. IF THERE ANY DISCREPANCIES OR DIFFERENCES OF INTERPERTATION BETWEEN THIS DOCUMENT AND THE ORDINANCE, THE ORDINANCE WILL TAKE PRECEDENCE. IF YOU HAVE ANY QUESTIONS REGARDING THESE REQUIREMENTS, PLEASE CONSULT THE COMPLETE ORDINANCE AT [WWW.TYRONETOWNSHIP.US](http://WWW.TYRONETOWNSHIP.US). OR REQUEST A COPY FROM THE TOWNSHIP.**