

TOWNSHIP OF WATERSMEET
COUNTY OF GOGEBIC, STATE OF MICHIGAN
ORDINANCE NO: 060120-1, Rev. 1
ADOPTED: June 16, 2021
EFFECTIVE: September 11, 2021

ORDINANCE FOR THE REGULATION OF OUTDOOR FIRES

An Ordinance to regulate the setting of outdoor fires, to provide penalties for the ticketed violation, to establish charges for Township services in responding to outdoor fires, and to provide for collection of such charges, (pursuant to Public Act 33 of 1951, as amended: MCLA 41.804 et seq; MSA 5.2640(1) et seq.)

The Township Watersmeet, County of Gogebic, Michigan, ordains:

Section 1: Purpose

This ordinance is adopted in the interest of public health and safety, and is designed to promote the general health, safety, and welfare of the Township of Watersmeet.

Section 2: Outdoor burning, without permit:

1. All outdoor fires must be supervised, at all times.
2. You are responsible for controlling your fire
3. No burning shall be done in extremely dry or windy conditions.
4. You shall not burn when the wind is in such a direction that its smoke will be an annoyance to your neighbors.
5. You shall not burn if environmental conditions are not favorable for burning.
6. Unsupervised and/or unauthorized outdoor fires will be extinguished, and you will be billed for a fire run.
7. Gogebic County does not allow "burn barrels".

Section 3. Burn Permits

1. The Michigan Department of Natural Resources (DNR) issues burn permits, when applicable; these may be in verbal form.
2. The local Forest Service Office should be consulted, as well.
3. The Township shall be notified prior to burning.

Section 4. Recreational (non-Permitted) burning is subject to the following:

1. A person 18 years or older must be in physical attendance at the fire site at all times.
2. A source of water, preferably a charged hose, must be located at the fire site.
3. The smoke generated shall not aggravate the medical condition of anyone in the immediate area, or cause smoke damage.

4. The fire must be at least 10' from a building, with exception of covered burn pits, which must be suitably insulated against fire and sparks leaving the pit.
5. Burn pits, custom made, or commercially made, must be accompanied by a fitted screen mesh in good condition, to be used when appropriate.

Section 5. Prohibitions

Burning outdoors is prohibited if:

1. The DNR, the local Fire Chief, or Designee, determines that conditions exist that make it hazardous to burn outside.
2. Local wind velocity is above 5 mph
3. If smoke adversely affects any local activity or individual.
4. NO ONE shall cause to be burned: garbage, trash, rubbish, animal carcasses or items that generate a foul odor.

Section 6. Concerned Citizens' Reports

Violations of this ordinance may be reported for action to Township authorities, including Township Board members, law enforcement, Forest Service Officers, fire department members, and designees.

Section 7. Penalties, charges to responsible party(ies):

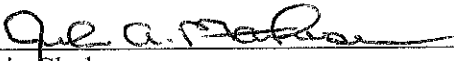
1. Any person, firm, association, partnership, corporation, or governmental entity who violates any of the provisions of this ordinance or fails to comply with a duly authorized order issued pursuant to this ordinance shall be deemed to be responsible for a municipal civil infraction which shall be punishable by civil fine determined in accordance with the following schedule:
 - 1st Offense within 3-year period* - \$250.00 fine, plus law enforcement and/or fire department turnout costs, as determined by Watersmeet Township.
 - 2nd Offense within 3-year period* - \$350.00 fine, plus law enforcement and/or fire department turnout costs, as determined by Watersmeet Township.
 - 3rd or More offenses within 3-year period* - \$500.00 fine, plus law enforcement and/or fire department turnout costs, as determined by Watersmeet Township.

(*Determined on the basis of the date of commission of the offense(s))

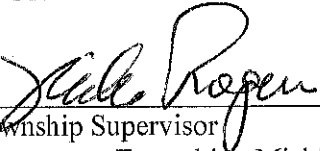
2. The violator shall pay costs which may include all expenses, direct and indirect, which the Township of Watersmeet has incurred in connection with the municipal infraction. In no case, however, shall costs be less than law enforcement and/or fire department turnout costs nor more than \$500 plus law enforcement and/or fire department turnout costs be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this ordinance. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance.
3. Tickets may be issued by local law enforcement, the Township Fire Chief, or Designee.

ALL SECTIONS OF THIS ORDINANCE HAVE BEEN ADOPTED AND APPROVED BY THE
WATERSMEET TOWNSHIP BOARD OF TRUSTEES AND HAVE BEEN POSTED AS
REQUIRED FOR PUBLIC NOTICE.

VERIFIED THIS 17th DAY OF AUGUST, IN THE YEAR OF 2021

X  _____
Township Clerk
Watersrneet Township , Michigan

COUNTERSIGNED

X  _____
Township Supervisor
Watersrneet Township , Michigan