

ORDINANCE NO. 2105-01
ORDINANCE OF THE CITY OF GRAND BLANC
To Regulate Open Burning and Recreational Fires

The City of Grand Blanc hereby ordains:

Purpose

This ordinance promotes the public health, safety and welfare of the City of Grand Blanc by regulating the air pollution and fire hazards of open burning and outdoor burning.

(A) Definitions.

- (1) "Open Burning/Bonfire" means the 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.
- (2) "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.
- (3) "Construction and demolition waste" means building waste materials, including, but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, synthetic material, and rubble that results from construction, remodeling, repair and demolition operations on a house, commercial or industrial building, or other structure.
- (4) "Household trash" means trash containing plastic, rubber, foam, treated lumber, textiles, electronics or chemicals.
- (5) "Patio wood-burning unit" means a chimnea, patio warmer, or other portable wood-burning device used for outdoor recreation and/or heating and which is UL listed and approved.
- (6) "Refuse" means trees, logs, brush, stumps, leaves, and grass clippings.
- (7) "Fire pit" means an outdoor pit (four feet diameter maximum) surrounded by metal, stone, concrete, ceramic, berm, or other non-combustible material, intended for recreation but not including a fire intended for disposal of refuse or other prohibited material.

(B) Burning of Household Trash.

Open burning of household trash is prohibited.

(C) Burning of Refuse.

Open burning of refuse is prohibited.

(D) Burning of Building Materials.

Open burning of construction and demolition waste is prohibited.

(E) Burning on Commercial Property or Open Lands.

Open burning, fire pits, and patio wood-burning units on commercial property or on open lands are prohibited, unless a permit is received from the City of Grand Blanc Fire Department.

(F) Fires in Fire Pits and Patio Fireplaces.

- (1) A patio wood-burning unit may be installed and used in the City of Grand Blanc only in accordance with all of the following provisions:
 - a. The patio wood-burning unit shall not be used to burn refuse and other prohibited materials.
 - b. The patio wood-burning unit shall burn only clean wood.
 - c. The patio wood-burning unit shall be a UL Listed approved container with a spark arrester.
 - d. The patio wood-burning unit shall be located at least 15 feet from any structure or building and 15 feet from adjacent property lines.
 - e. The patio wood-burning unit shall not be installed or used on a balcony.
 - f. A patio wood-burning unit may not be used when wind conditions exceed 10 MPH.
- (2) A fire pit may be installed and used in the City of Grand Blanc only in accordance with all of the following provisions:
 - a. The fire pit shall not be used to burn refuse and other prohibited materials.
 - b. The fire pit shall burn only clean wood.
 - c. The fire pit shall be located at least 15 feet from any structure or building and 15 feet from adjacent property lines.
 - d. The fire pit shall be located at least 5 feet from any tree, bush or other natural combustible material and shall not be located directly underneath an overhanging tree or other natural combustible material.
 - e. A firepit may not be greater than four feet in diameter.
 - f. A fire pit may not be used when wind conditions exceed 10 MPH.
- (3) Burning of clean wood in an outdoor fireplace with a chimney is permitted.

- (4) Fires in a fire pit or patio wood-burning unit may not be started before sunrise and must be extinguished by 1:00 am.
- (5) A garden hose or other method of extinguishment shall be readily available at all times while burning using one of the above methods.
- (6) Any person who starts a fire in a fire pit or patio wood-burning unit, pursuant to this subsection, must remain at that fire at all times, until said fire is extinguished.
- (7) Any person who starts a fire in a fire pit or patio wood-burning unit, pursuant to this subsection, must not use flammable liquid of any kind to start the fire.
- (8) The patio wood-burning unit or fire pit shall not cause a nuisance by smoky conditions to neighbors, human health and safety, or property.

(G) Bonfire

A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a fire pit.

(H) Open Flame Cooking.

- (1) Charcoal grills and any other open-flame cooking shall not be operated on combustible balconies or not closer than 5 feet from any combustible construction in a multi-family dwelling, and not directly under an overhang.
- (2) Charcoal grills or other open-flame cooking method may be operated at a single family dwelling, not closer than 5 feet from any combustible construction, and not directly under an overhang.

(I) Sky Lanterns.

A person shall not release or cause to be released an untethered sky lantern.

(J) Right of Entry and Inspection.

The fire chief, his designees and sworn law enforcement officers, who presents credentials, may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance.

(K) Enforcement.

The fire chief, his designees and sworn law enforcement officers are authorized to enforce the provisions of this ordinance. Where open burning creates or adds to a hazardous situation, the fire chief, his designees and sworn law enforcement offices may order the extinguishment of the open burning operation.

(L) Violations and Penalties.

- (1) Any person, firm, association, partnership, corporation or entity violating the provisions of this ordinance or failing to comply with a duly authorized order issued pursuant to his order shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute, which shall be punishable by a civil fine of not more than \$500.00.
- (2) Any violator of this ordinance shall be liable to the City of Grand Blanc for any and all costs and expenses, direct or indirect, incurred by the City of Grand Blanc in connection with the municipal infraction. Such costs shall be determined by the City of Grand Blanc. Such costs may include but are not limited to the actual costs incurred for fighting the fire, damages to third parties, attorney fees, court actions, or other related costs or damages. The City of Grand Blanc 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.
- (3) Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance.

This ordinance shall take effect twenty (20) days after the adoption hereof.

This ordinance was adopted by the City Council at a regular meeting on the ____ day of _____, 2021.

Susan Soderstrom, Mayor

Mary B. Hopkins, City Clerk