

Worth Township
6903 S. Lakeshore Rd
Lexington, MI 48450
810-359-8852

Permit Number _____ Date Issued _____ Expires 12/31/2023

Name of Applicant _____ Phone Number _____

Address _____

Location of burn if different than the address listed above:

Circle One : Owner Representative for Owner Driver License # _____

Signature of Applicant: _____

Issued By : _____ Entity: _____

I have received a copy of the State of Michigan regulations, and local ordinances and will abide by them under penalty of law.

Spring Fire Season Arrives in Michigan

The Michigan Department of Natural Resources has warned Michigan residents that danger of wildfires is high during this season. Dry grass, leaves, and dead vegetation on the ground are especially susceptible to potential burning. Because burning of household and yard debris causes more than a third of Michigan wildfires every year, the DNR has recommended the following safety precautions for outdoor burning:

- Never leave and outdoor campfires or debris fires unattended, even for a moment
- Have water available in case your fire begins to escape. If your fire does escape, call 911 immediately.
- Always be sure your fire is completely extinguished before leaving it unattended. An improperly extinguished fire is one of the leading causes of wildfires and burns among children.
- Drown your fire with plenty of water. Wet everything thoroughly, especially the undersides of unburned pieces. Remember to stir the ashes to find any hot spots.
- Be sure to do more than just burying your fire with soil. In most cases, this is not enough to extinguish the fire!

PERMIT MAY BE REVOKED AT ANY TIME BY LOCAL FIRE CHIEF

Prior to starting fire, call Sanilac County Dispatch and report your burn permit at:

810-648-2000 press option #2

OPEN BURNING REGULATIONS IN MICHIGAN

Notice to those who choose to burn: You are responsible for fire, smoke, or odors created from open burning ... and for damage that results from your fire.

What Is Open Burning?

"Open burning" is the burning of unwanted materials such as paper, trees, brush, leaves, grass, and other debris where smoke and other emissions are released directly into the air. During open burning, air pollutants do not pass through a chimney or stack and/or combustion of solid waste is not adequately controlled.

Open burning pollutes the air and poses a forest fire hazard. The air pollution created by open burning can irritate eyes and lungs, obscure visibility, soil nearby surfaces, create annoying odors or pose other nuisances or health threats.

Because of the problems created by this activity, state and local laws prohibit open burning of many materials. Many people are either unaware of the regulations or unsure about which regulations apply to them. The following information will help identify the problems, regulations, sources of information, and alternatives to open burning.

Statewide Open Burning Laws

In Michigan, open burning is regulated by the Natural Resources and Environmental Protection Act (Act 451 of 1994) and associated rules. The act includes: Air Pollution Control - Part 55, Solid Waste Management - Part 115, Forest Fire Prevention - Part 515.

In addition, local units of government, such as city, county, or township boards, often regulate open burning through local laws. Local open burning laws take precedence over state regulations only if they are more restrictive. The most common burning issues are defined below, along with the related regulations.

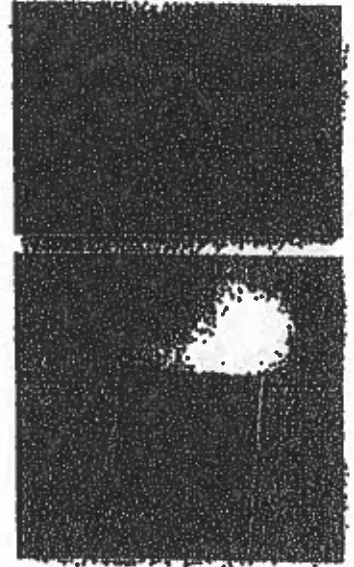
General Open Burning

Michigan air quality and solid waste regulations prohibit open burning that creates smoke or odor nuisances.

Burn permits may be obtained by using the Burn Permits Management System interactive county map located at: Michigan.gov/BurnPermit

A burn permit does not allow burning prohibited by other regulations. Burn permits are available from the DNR for the Upper Peninsula and Northern Michigan counties.

In the southern Lower Peninsula, permits may be obtained from the local fire department or local governing body. These permits allow for tree limbs, brush, stumps, evergreen needles, leaves, and grass to be burned in a safe manner. The local DNR Fire Manager must issue a permit for ongoing burns for construction or land clearing, for roadway maintenance, and for performing prescribed burns without



Do you have burn permit questions? Contact DNR Forest Resources Division, PO Box 30452, Lansing, MI 48909, or visit their website at: Michigan.gov/BurnPermit. Many communities prohibit open burning of any kind. Check with your local governing body before conducting open burning.

BURNING OF HOUSEHOLD TRASH

Public Act 102 of 2012 prohibits trash burning of household waste from a family dwelling with the exception of untreated paper. Trash that contains plastic, rubber, foam, chemically treated wood, textiles, electronics, chemicals, or hazardous materials must not be burned as emissions release chemicals which pose a danger to human health and the environment.

Homeowners that choose to burn trash that is not prohibited may do so in an approved container on their property as long as it does not violate any other local or state ordinances or regulations. An approved container is constructed of metal or masonry with a metal covering device with openings no larger than 3/4 inch. Local police and fire officers are authorized to enforce this provision as a state civil infraction of Section 11522 of Act 451 of 1994.

Information regarding household trash and open burning is available at Michigan.gov/OpenBurning. Many communities prohibit the burning of all household waste, so check with your local governing body ahead of time.

BURNING OF COMMERCIAL AND INDUSTRIAL WASTE

Unless a company has obtained a permit from EGLE's Air Quality Division, this type of burning is prohibited, with the exception of land clearing authorized by law.

BURNING OF GRASS CLIPPINGS AND LEAVES

Since 1995, solid waste regulations have prohibited the open burning of grass clippings and leaves in Michigan municipalities with a population of 7500 or more. Local governing bodies may enact an ordinance authorizing such open burning provided other regulations are not violated. They must submit a copy of the ordinance to EGLE's Materials Management Division, P.O. Box 30241, Lansing, MI 48909.

BURNING OF BRUSH AND TREES

Air quality regulations state that open burning of trees, logs, brush and stumps must be conducted further than 1400 feet from the boundary of an incorporated city or village and may not violate other air pollution rules. Local laws may prohibit open burning of this material; check with your local governing body before conducting open burning.

DISEASE AND PEST CONTROL: BURNING OF BEEKEEPING EQUIPMENT AND WOOD CRATES

Air quality regulations allow the burning of beekeeping equipment and products for disease control. Open burning of untreated wooden fruit or vegetable crates for the purpose of disease control is allowed, unless prohibited by local laws.

PRESCRIBED BURNS

Prescribed burns are used to manage agricultural and natural lands. They are allowed in compliance with Part 515 of the Natural Resources and Environmental Protection Act of 1994 and must also comply with local ordinances.

BURNING OF BUILDING MATERIALS

Air quality and solid waste regulations prohibit open burning of construction and demolition waste. Chemically treated lumber, as well as synthetic and painted building materials, contain high concentrations of hazardous compounds that produce toxic emissions when burned.

BURNING OF BUILDINGS

Structures that are to be demolished by intentional burning are subject to State and Federal regulations. Michigan air regulations only allow buildings to be intentionally burned for fire department fire suppression training.

Federal law requires the removal of asbestos from any building (residential & non-residential) prior to authorized burning. The NESHAP Asbestos Coordinator must be notified 10 working days prior to the burn. For a notification form and more information, fire officials can visit the Air Quality webpage: www.michigan.gov/air then select the "Compliance" tab on the left.

Guidance information for fire suppression training is at: www.michigan.gov/openburning

CAMPFIRES

Air quality regulations allow the burning of logs, brush, charcoal, and other similar materials for the purpose of food preparation or recreation, unless prohibited by local laws.

FLAGS

An unserviceable US flag may be burned by a congressionally chartered patriotic organization.

OPEN BURNING ALTERNATIVES

Composting yard waste and using leaves and grass clippings for mulch are alternatives to open burning of yard waste.

Composting produces valuable soil fertilizer through the natural process of decomposition. Compost piles are simple to begin and maintain, and take up relatively little space. For more information on composting at home, contact your county Michigan State University Extension Office.

Contact local programs about recycling of plastics, cardboard, paper, metals, etc. in your area. Donate reusable items to charitable organizations, families, or friends. Dispose of unwanted items in a licensed landfill or incinerator instead of open burning.

EGLE AIR QUALITY DIVISION
P.O. BOX 30260
LANSING, MI 48909-7730

EGLE

www.michigan.gov/air

For more information regarding the regulation of open burning in Michigan, please visit the EGLE website at <http://www.michigan.gov/openburning> or call the Environmental Assistance Center 800-632-9278.

For Pollution Emergencies call: 800-292-4706

Chapter 112

BURNING, OPEN

[HISTORY: Adopted by the Board of Trustees of the Township of Worth 9-5-1971 by Ord. No. 5; amended in its entirety 12-16-1991 by Ord. No. 91-6; 4-21-2004 by Ord. No. 2004-1. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Fire protection — See Ch. 146.
Fire and rescue run fees — See Ch. 142.

§ 112-1. Purpose.

This chapter is adopted in the interest of public safety and is designed to promote the general peace, health, safety and welfare of the Township of Worth, Sanilac County, Michigan.

§ 112-2. Control; hours to burn; odors.

This chapter provides for the control of fires, burning of trash and rubbish, obtaining of permit, hours to set fires and the prevention of foul odors caused by burning.

§ 112-3. Permit required; exceptions.

No person, partnership, firm, association or corporation shall, within the limits of the Township of Worth, set or cause to be set, burn or cause to be burned, at any time, any old building, debris from a building torn down, brush, limbs or trees on any lot or parcel of ground within the Township of Worth, unless such person shall first obtain from the Fire Chief, or his designee, of the fire service area, a permit for such fire or fires. (Exception: See § 112-7, Domestic fires, and § 112-8, Camp fires and beach fires.)

§ 112-4. Foul odors.

No person shall burn garbage, animal carcasses, refuse, trash, rubbish, or like material giving off foul odors, at any time. This section applies to commercial, industrial, domestic, camp and beach fires.

§ 112-5. Commercial and industrial; types of containers.

No person shall set or cause to be set, burn or cause to be burned, any paper, trash, rubbish, leaves, grass or weeds, unless confined within a fireproof container constructed of metal or masonry with an approved spark arrestor with openings no larger than 3/4 inch. Hours of burning shall be from one hour before sunrise to one hour after sunset. Burners of the metal drum or portable type shall not be located less than 15 feet from any building or less than five feet from the adjoining property line.

§ 112-6. Burners and incinerators.

- A. Masonry or heavy metal constructed burners or incinerators shall be constructed to withstand the heat of 1,200° F. and shall be located not less than three feet from a combustibile building or property line.
- B. Masonry or heavy metal burners or incinerators shall be constructed with or attached to a suitable stack, the top of the stack to be at least three feet above the roofline of adjoining building if such building is less than 15 feet from the stack. All stacks are to be properly capped with approved spark arrestors.

§ 112-7. Domestic fires.

A "domestic fire" is any fire around the home, within the curtilage of the dwelling, where the material to be burned has been properly placed in a debris burner constructed of metal or masonry with an approved spark arrestor with openings no larger than 3/4 inch. Burners of the metal drum or portable type shall not be located less than 15 feet from any building or less than five feet from the adjoining property line. Hours of burning shall be from one hour before sunrise to one hour after sunset. No permit shall be required for domestic fires.

§ 112-8. Camp fires and beach fires.

"Camp fires" and "beach fires" are open fires, located within the curtilage of the dwelling and/or sandy beach area, and which the base of the fire does not exceed three feet in diameter. All such fires shall be contained by a nonflammable material. No rubbish, debris, animal carcasses, trash, or building materials (except wood) shall be burned in any camp or beach fire. No camp or beach fire shall be located less than 15 feet from any building or less than five feet from the adjoining property line or bluffline. No permit shall be required for either camp fires or beach fires.

§ 112-9. Violations and penalties; recovery of costs.

- A. Any person, partnership, firm, association or corporation who shall:
 - (1) Set or start an open fire without a permit as required by this chapter shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be subject to a fine or penalty of not less than \$25 nor more than \$500, or by imprisonment in the county jail of Sanilac County not exceeding 90 days, or both such fine and imprisonment;¹
 - (2) Set an open fire which necessitates calling of any Fire Department shall pay to Worth Township all costs and charges incurred by said Township by reason of calling any Fire Department.²
- B. The Township of Worth may sue and may recover such costs and expenses incurred by it from any person, partnership, firm, association or corporation who sets such an open fire.

1. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).

2. Editor's Note: See also Ch. 142, Fire and Rescue Run Fees.