

# AMENDMENT TO BURN ORDINANCE #110

## THE CITY OF PINCONNING, COUNTY OF BAY, HEREBY ORDAINS:

### PURPOSE:

An amendment to Ordinance #110 to regulate burning, provide standards for receptacles used for burning, reduce air pollution, and prohibit the emission of smoke, soot, cinders, noxious acids, fumes and gases detrimental to health, safety and welfare.

### SECTION 1: GENERAL PROHIBITION

It shall be unlawful for any person or persons to burn, or cause to burn, assist in burning, permit, continue or permit continuance of the burning of any combustible material within the city limits of the City of Pinconning, except as prescribed herein.

### SECTION 2. UNLAWFUL BURNING

#### **A. REFUSE**

It shall be unlawful to burn any refuse outside any building at any time in the City of Pinconning. REFUSE shall mean any combustible trash, including but not limited to paper, cardboard, cartons, boxes, rubber, plastics, construction waste materials and non-combustible trash including but not limited to, metals, tin cans and glass.

#### **B. GARBAGE**

It shall be unlawful to burn garbage inside or outside any building at any time in the city. GARBAGE shall mean rejected food waste, including waste accumulations of animal, fruit or vegetable matter used or intended for food, or that attends the preparation, use, cooking, dealing in or storing meat, fish, fowl, fruits or vegetables.

#### **C. YARD WASTE**

No person or persons shall cause or permit open burning of yard waste, including leaves, grass clippings, vegetables or other garden debris, shrubbery, brush, tree clippings, or similar materials to occur upon any

privately owned premises or public place within the city.

#### **D. SMOKE, SOOT, GASES, SPARKS AND EMBERS**

It shall be unlawful for any person or persons to permit or cause the escape of the quantities of smoke, soot, cinders, noxious acids, fumes and gases, or the emission of sparks or embers in the place or manner as to be detrimental to any person or to the public, or in such a manner as to cause or tend to cause injury or damage to the property or business.

### SECTION 3. LAWFUL BURNING

**A.** Fires are permitted for cooking and smoking of food providing that such fires are confined to a barbecue pit, smokehouse or other enclosure, and providing further that the emission of smoke and fumes do not irritate, annoy or constitutes a nuisance to others living in the city.

**B.** Recreational Fires must not exceed five (5) feet in diameter and must be contained in a ring made of metal or brick or a metal enclosure designed for that purpose and be maintained by a person of mature age in attendance while the fire is burning. Flames shall be no higher than 24 inches and shall be constantly attended until the fire is extinguished. A minimum of a fire extinguisher, such as dirt, sand, water barrel, garden hose or water truck shall be available for immediate utilization.

### SECTION 4. PENALTIES

Any person violating any provision of this ordinance shall incur a municipal civil infraction. First violation will constitute a warning, second offense will occur a \$100.00 fine and subsequent offenses will incur \$150.00. These charges are subject to change.

### SECTION 5.

All or part of Ordinance #110 is hereby repealed and replaced with this new amended ordinance. This ordinance shall be in full force and effective upon approval and publication by law. This Ordinance will be adopted at this regular meeting on April 18, 2022.

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Vern Little, Mayor

Rebecca Lakin, City Clerk