

TOWNSHIP OF DEERFIELD  
OPEN BURNING PERMIT ORDINANCE  
ORDINANCE NO. 42.1

An Ordinance regulating open burning permits within the Township of Deerfield and providing penalties for violations.

THE TOWNSHIP OF DEERFIELD ORDAINS:

**Section 1. DEFINITIONS**

- A. "Open Burning" is the outdoor burning of materials where smoke and other emissions are released directly into the air. During open burning smoke does not pass through a chimney or stack.
- B. "Approved Burning Container" is a container constructed of metal or masonry with a metal covering device with openings no larger than ½ inch measured from any direction.

**Section 2. GENERAL OPEN BURNING PERMIT REQUIREMENTS**

- A. Any person who conducts open burning outside of an approved burning container shall obtain a permit to burn whenever the ground is not snow covered. Recreational fires such as small campfires or bonfires shall be exempt as long as they are less than six (6) foot in diameter and four (4) foot in height.
- B. All open burning must be within the line of site of the person responsible for the fire. The person responsible for the fire must be outdoors and within a reasonable distance in order to properly monitor the fire.
- C. A fire pile shall not be larger than (6') in diameter and four (4) feet tall, unless the fire chief or a designated representative of the fire department has granted a variance. There shall not be more than one (1) fire pile burning at any time.

**Section 3. OPEN BURNING PERMITS; CONDITIONS**

- A. Open burning permits shall be obtained from the Deerfield Township Hall and may be issued from one (1) to three (3) days.
- B. Wind speeds may increase at any time; therefore it is the responsibility of the permit holder to monitor wind speeds during burning. All burning permits will be considered void if wind speeds exceed fifteen miles per hour.

- C. Deerfield Township may choose not to issue burning permits during extremely dry conditions and/or may choose to limit the number of permits issued for other reasons and/or void any issued permit for any reason.

**Section 4. PROHIBITED BURNING**

The State of Michigan regulates the types of materials that may not be open burned. In general these materials include household trash that contains: plastic, rubber, foam, chemically treated wood, textiles, electronics, chemicals or hazardous materials (see State Law for complete list). The State law also has its own penalty provisions.

**Section 5. PENALTY**

Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other orders and sanctions, which may be imposed by the court for each infraction. Repeat offenses under this ordinance shall be subject to increased fines provided for in the Civil Infraction Ordinance, Ordinance Number 40.

The undersigned Supervisor and Clerk of the Township of Deerfield hereby certify that this ordinance was duly adopted by the Township Board at a meeting held on the **21st day of February, 2013** and was published in the **L A View on the 28<sup>th</sup> day of February, 2013**. This Ordinance shall be effective (30) days after said date of publication.

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Raymond R. Hayes, Supervisor

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Debra S. Oliver, Clerk