

VILLAGE ORDINANCE

ORDINANCE B

AN ORDINANCE OF AMENDMENT TO ORDINANCE B ENTITLED:

AN ORDINANCE TO PROVIDE FOR THE REGULATION OF THE BURNING OF TRASH AND DEBRIS IN THE VILLAGE OF EDWARDSBURG AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE PROVISIONS THERIN.

THE VILLAGE OF EDWARDSBURG ORDAINS:

Due To the ability of the Village of Edwardsburg being able to haul away and dispose of waste materials, yard waste and recycled materials among other things. Ordinance B is hereby amended to read as follows:

There shall be no burning of any materials within village limits of the Village of Edwardsburg or any area under its jurisdiction unless and except as is specifically permitted by the terms of this ordinance.

(A) Open burning shall be allowed only after obtaining a permit or other proper authorization from the Edwardsburg Fire Department. Applications for open burning shall be submitted in writing at least forty-eight (48) hours before the fire is set and shall be in such form and contain such information as required by the Edwardsburg Fire Department. Such applications shall contain, as a minimum, information regarding: the purpose of the proposed burning, the nature and quantities of material to be burned, the date when such burning will take place, the location of the burning site, and the on-site fire extinguishing equipment to be provided. Hours of burning shall be between the hours of sunrise and must be extinguished by nine (9:00) O'clock P.M.

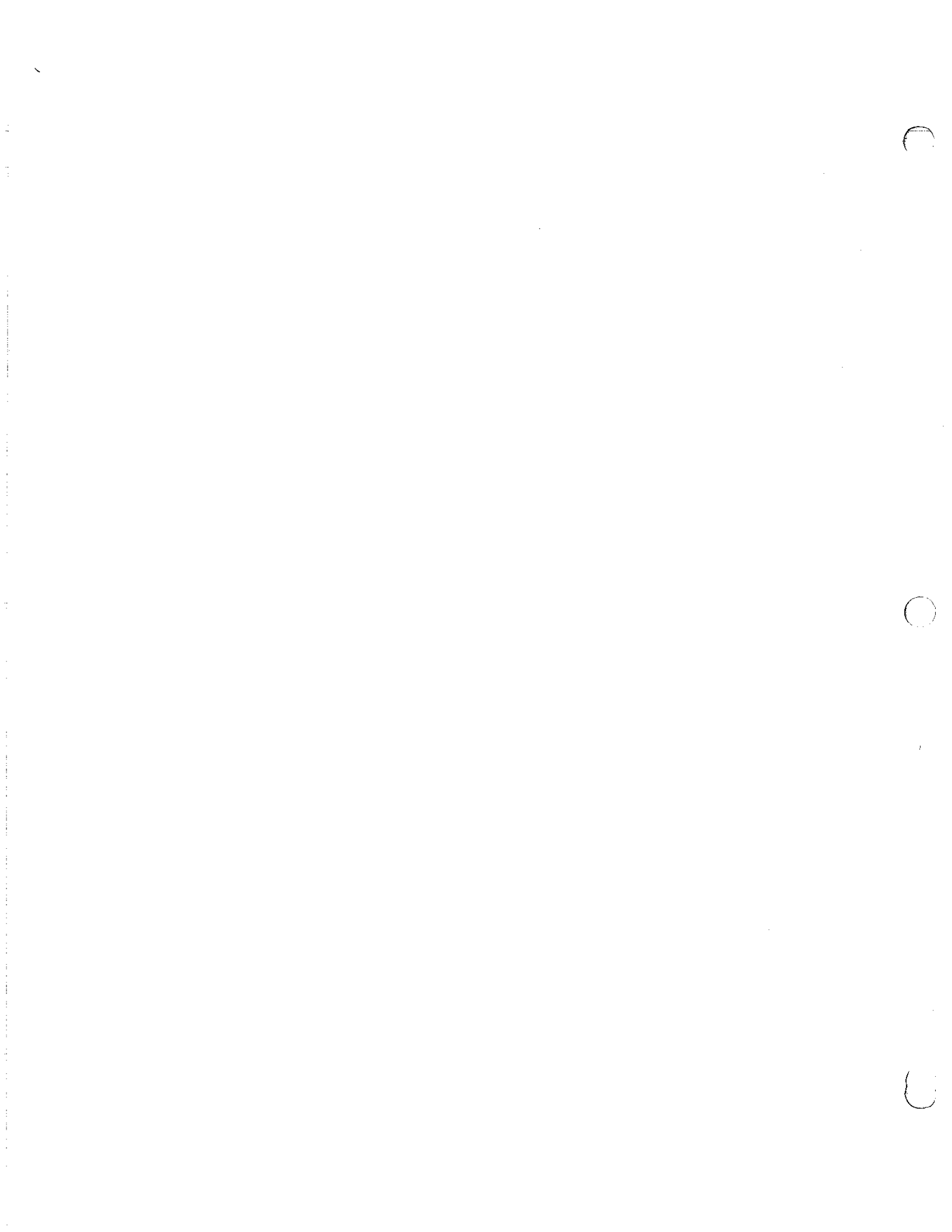
(B) The location for any open burning shall not be less than fifty (50) feet from any structure, and provisions shall be made to prevent the fire from spreading to within fifty (50) feet of any structure.

(C) No burning shall be done unless under the direct charge or supervision of a person of mature nature.

(D) No burning shall be done or permitted to continue at any time or place when wind, or other conditions, will create or be apt to create a nuisance to anyone or the property of anyone in the vicinity thereof, or be a danger to the property of any person in the vicinity thereof.

(E) No burning shall result in, cause or be permitted to result in, or cause, the release, discharge, dissemination, distribution or creation of toxic compounds, chemicals, agents or other toxic substances into or upon the ground, atmosphere or environs.

(F) No burning shall be permitted to smolder or burn with other than an open flame.




(G) No permit or prior authorization shall be required for a recreational fire, consisting of an outdoor fire used to cook food for human consumption within an apparatus designed and constructed for open flame food preparation.

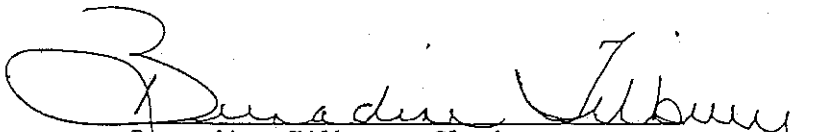
(H) Open burning for the warmth of work of workers or similar occupational needs shall be confined to an approved noncombustible container or apparatus to prevent the fire from spreading.

(I) This amendment to the ordinance shall be effective ten (10) days after publication and adoption, whichever is later.

(J) Violation of this ordinance may subject the violator to a maximum possible penalty of a fine of one-hundred (\$100.00) dollars or ninety (90) days in jail or both in the discretion of the court.

MADE, PASSED AND ADOPTED BY THE VILLAGE OF EDWARDSBURG, CASS COUNTY, MICHIGAN ON THE 17 DAY OF March, 1997.


Albert L. Strukel, President


Bernadine Tilbury, Clerk

Vote:	Yes	<u>5</u>
	No	<u>0</u>
	Absent	<u>1</u>



Section 6. Upon application, signed by the proper officers of organized groups, or municipal bodies, the Council, in its discretion, may issue permits from time to time for the burning of trash or combustible material for the purpose of demonstrations or displays at public meetings, sponsored by said groups or municipal bodies, the application to clearly specify the time, place and purpose of the demonstration or display.

Section 7. This Ordinance shall become effective thirty (30) days after publication as provided by law.

G.W. McNabb
Village President

Adopted December 5, 1955

Published - Edwardsburg Argus, December 15, 1955

Countersigned:

W.G. Cavern
Village Clerk.

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