

VILLAGE OF MORLEY
ORDINANCE #01-2020
BURN ORDINANCE

AN ORDINANCE TO REGULATE BURNING WITHIN THE VILLAGE OF MORLEY.

THE VILLAGE OF MORLEY ORDAINS:

SECTION 1.1: PURPOSE

This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Village of Morley, County of Mecosta, due to the air pollution and fire hazards of outdoor burning.

SECTION 1.2: DEFINITIONS

“Open Burning” shall mean a fire from which the products of combustion are emanated directly into the air without passing through a stack or chimney.

“Refuse” means any waste material except trees, logs, brush, stumps, leaves, grass clippings, and other vegetative matter.

SECTION 1.3: PROHIBITED FIRES

Open burning of refuse is prohibited.

Burning permits – Open burning is authorized by permit. For open burning as permitted under this section, you must visit the website of the DNR at www.dnr.state.mi.us/burnpermits/. This will inform you if it is safe to burn in your area.

SECTION 1.4: REGULATIONS

- (A) The Village worker and the Morley Area Fire Department, Inc., with the proper authority from the Village President or Village Council shall have fires as large as needed.
- (B) Open burning is only allowed when weather conditions permit as directed by the Department of Natural Resources website.
- (C) Open burning is prohibited on any public road right-of-way, sidewalk, or safety path.
- (D) Open burning is prohibited on “ozone action” days to minimize environmental impact.
- (E) The location of open burning shall take place a safe distance from any structure, and provisions shall be made to prevent the fire from spreading.
- (F) Open burning shall not be used as a means for disposal of household wastes.
- (G) Flammable liquids shall not be used to ignite or maintain an open burning fire.
- (H) Prohibition under this subsection may be determined prior to, or subsequent to ignition of the fire, by ordering extinguishing of the fire. Just cause for any of the measures stated in this subsection include, but is not limited to: fire hazard, unsafe conditions, excessive smoke, disruptive to others (health hazard or nuisance), atmospheric conditions, or when

burning would be in violation to any law or regulation administered by the Michigan Department of Natural Resources, or other governing body.

- (I) Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

SECTION 1.5: ENFORCEMENT

Law enforcement officers and the Morley Are Fire Department, Inc. are authorized to enforce the provisions of this ordinance.

SECTION 1.6 PENALTY

Any person violating any of the terms and provisions of this ordinance shall be assessed the costs of extinguishing the blaze and shall be guilty of a civil infraction and subject to a fine of not more than \$250.00 or imprisonment for a period not to exceed 93 days or both in the discretion of the court. In the event of continuing violation of the ordinance, each subsequent day of violation shall constitute a separate offense under the terms of this ordinance and may be so charged in the discretion of the Village of Morley.

SECTION 1.7: ORDINANCE IN FORCE: This Ordinance shall take effect thirty (30) days after publication. All Ordinances or parts of ordinances in conflict are hereby repealed.

This ordinance was enacted by the Village of Morley Council at a regular meeting held at the Council Chambers in said Village on January 13, 2020.

Yeas: Robert Jusino, Teresa Havens, Linda Kizer, Henry Petersen, Serine Petersen, Paul Block.

Nays: None

Absent: Roger Polston

The President declared the ordinance passed unanimously.

I hereby certify to the adoption of this ordinance on January 13, 2020 at a regular council meeting and cause the same to be published as required by law.


Henry Petersen, Village President


Terry Stilson, Village Clerk

Publish date: January 20, 2020