

Ordinance No. 4 (1977)
amended August 24, 2005

**AN ORDINANCE TO PROVIDE FOR THE REGULATION AND CONTROL OF
OUTDOOR BURNING IN THE TOWNSHIP OF BOIS BLANC**

THE TOWNSHIP OF BOIS BLANC ORDAINS:

Section 1.

The purpose of this ordinance is to control outdoor burning and to prohibit and prevent the creation or the continuation of danger to the community.

Section 2.

It shall be unlawful for any person, firm or corporation, public or private, to engage in outdoor burning in such places or manner as to be a danger to any person or to the public by endangering the health, comfort and safety of any such person or of the public, or in such manner as to cause injury or damage to property or business. Unlawful burning is declared to be a public danger and may be abated by the Township Board or anyone whom they may designate for such purpose. It shall be unlawful for any person, firm or corporation, public or private, to engage in outdoor burning without a special permit.

Section 3.

No person, firm or corporation shall burn any combustible material that emits gases, mists, vapors and smokes that create a stench or smell that is obnoxious or offensive to any person or to the public.

Section 4.

At the discretion of the Township Board or the Fire Chief, permits may be granted for burning of leaves, grass or brush when, in their opinion, there will be no danger to the community. At no time will such burning of leaves, grass, or brush be lawful without a permit.

Section 5.

The Township Board and the Fire Chief have the authority to prohibit the burning of anything including the burning of trash in incinerators or other devices when in their opinion a fire danger to the community exists. The Township Board and the Fire Chief have the authority at all times to approve or disapprove the type and kind of device used to burn trash.

Section 6.

In the event that any section, sub-section or any portion of this ordinance shall be declared by any competent court to be invalid for any reason such decision shall not be deemed to effect the validity of any other section or sub-section of this ordinance.

Section 7.

Sanctions for Violations: Any person or other entity who violates any of the provisions of this ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

Minimum/Maximum

First violation within a 3 year period*	\$50 - \$500
Second violation within a 3 year period*	\$125 - \$500
Third violation within a 3 year period*	\$250 - \$500
Fourth or subsequent violation within a 3 year period	\$400 - \$500

*determined on the basis of the date of the violation(s)

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the township has been put in connection with the violation. In no case, however, shall costs of less than \$9 or more than \$500 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation.

This ordinance was passed and adopted by the Township Board of Bois Blanc on May 7, 1977. This ordinance shall become effective June 11,1977.

This ordinance was amended on August 24, 2005, and shall become effective immediately following publication.

CLERK’S CERTIFICATE

Joan E. Schroka, Bois Blanc Township Clerk, does hereby certify that the foregoing Ordinance was amended at a regular meeting of the Bois Blanc Township Board on August 24, 2005, and the same was caused to be published in the Cheboygan Tribune, on August 31, 2005; and, also, the fact that complete copies of the Code, as hereby amended, are available at the Office of the Clerk for inspection by and distribution to the public at all times.

Joan E. Schroka, Bois Blanc Township Clerk