

PAID - YES NO

PERMIT FEE
\$10.00

**CITY OF LINDEN
FIRE DEPARTMENT
132 E. Broad St.
LINDEN, MI 48451
FIRE CHIEF**

BURNING PERMIT ISSUED TO: _____
(Please print your name or business)

For the purpose of open burning at: _____

This permit is valid for three days beginning: _____ 20 _____

Phone No: _____

RULES FOR BURNING

BRUSH BURNING

YEARLY RECREATIONAL
Jan 1 - Dec 31

1. Burning must be on your **OWN** property, or with the consent of the property owner on whose property you will burn. Proof of permission must be with the person burning.
2. **ONLY NATURAL WOOD PRODUCT**, The burning of trees, logs, brush and stumps in rural areas may be allowed under such conditions as are specified in writing by the city fire chief, but tires, plastics, highly flammable, toxic or explosive magerials shall not be burned in such fires.
3. An adult must attend the fire.
4. The fire must be out 1/2 hour before dark. (Summer permits for approved campfire pits must be out by 11:00 p.m.).
5. Permit holder is responsible that the fire is not endangering structures, vehicles, ground cover, or valuables. The distance from such things to the fire shall be determined by "Common sense" relating fire size, wind speed, and direction to distance to other objects.
6. If smoke from the fire is a problem for neighbors or traffic, the fire will be extinguished.

IF THE FIRE GETS OUT OF CONTROL, OR YOU BURN MATERIAL OTHER THAN NATURAL WOOD SUCH AS LIMBS, BRANCHES AND BRUSH, YOU MAY BE SUBJECT TO A FINE AND / OR JAIL SENTENCE.

Recreational fires also need a yearly permit and inspection. Recreational fires are fires within a defined area, such as a ring hole or container. Recreational fires must be on your property - attended by an adult - and produce smoke, which is not a nuisance or hazard. Recreational fires will be extinguished if not attended, and not to exceed the time of deadline.

(YOUR SIGNATURE)

ISSUED BY (MUST BE SIGNED)

ORDINANCE NO. 271

AN ORDINANCE TO AMEND CHAPTER 8.16 OF TITLE 8 OF THE CITY OF LINDEN MUNICIPAL CODE REGARDING BURNING RESTRICTIONS; PENALTY; REPEAL; EFFECTIVE DATE.

THE CITY OF LINDEN ORDAINS:

8.16.010. **Public Purpose.** It is hereby deemed to be in the best interests of the health, safety, and welfare of the citizens of the City of Linden to restrict and in some instances prohibit the burning of refuse, brush, leaves, wood, waste materials, whether said burning takes place in the open or in an enclosed building, structure or appurtenance.

8.16.020. **Burning Prohibited.** Except as provided below, it shall be unlawful for any person to burn any wood or wood products, trash, refuse, leaves, household, commercial or industrial wastes or any other substances, either indoors or outdoors.

8.16.030. **Indoor Fireplaces.** Homeowners and occupants are allowed to use an indoor fireplace for its intended and ordinary purpose. An indoor fireplace shall not be used for the burning of trash or refuse.

8.16.040. **Cooking, Grilling, or Barbecuing.** This Ordinance is not intended to prohibit or restrict the use of stoves, grills, or barbecue structures except when said activity is conducted in a dangerous manner or in such a manner as to cause unreasonable interference with the use of neighboring properties by the owners or occupants thereof. Whenever a stove, grill or barbecue structure is in use, there shall be a person of reasonable age and ability in attendance thereof.

8.16.050. **Use of Incinerators.** No person shall use an incinerator in the City of Linden.

8.16.060. **Recreational Fires.** All recreational fires shall be by permit only. The permit shall be secured from the Fire Chief or his designee. The permit may be for a single day or up to a one (1) year period. Recreational fires must be extinguished as provided in the permit and also must be extinguished upon verbal or written order of the City Manager, Building Inspector, Fire Chief or a Police Officer.

8.16.070. **Clearing Land.** The burning of trees, logs, brush and stumps in rural areas may be allowed under such conditions as are specified in writing by the City Fire Chief, but tires, plastics, highly flammable, toxic or explosive materials shall not be burned in such fires.

8.16.080. **State Law.** Any burning which violates the provisions of the Michigan Air Pollution Control Act, P.A. 348 (1965) and the rules promulgated thereunder, is prohibited.

8.16.090. **Prima Facie Negligence.** If a fire prohibited by this Ordinance becomes out of control and causes damage to person or property, the person in charge of such fire and the person in control of the premises where the fire originated shall be deemed to be prima facie guilty of negligence.

8.16.100. **Penalty.** Any person convicted of violating this Ordinance may be guilty of a misdemeanor and imprisoned for not more than ninety (90) days or a fine of not more than Five Hundred (\$500.00) Dollars, or Both.

8.16.110. **Repeal.** Any Ordinance which is inconsistent with the amendments is hereby repealed.

8.16.120. **Effective Date.** This Ordinance shall become effective thirty (30) days after its publication.

Enacted at a regular meeting of the Linden City Council held on the 25th day of June, A.D., 2001.

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