

STATE OF MICHIGAN
COUNTY OF SANILAC
LEXINGTON MICHIGAN

BURNING ORDINANCE 06-01

Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial District means any district zoned to allow business to participate in commerce activities.

Garbage means waste resulting from the processing, handling, preparation, sale or consumption of food.

Household Waste means paper products including newspapers, cardboard or containers used in a domestic setting.

Nuisance is when burning gives off foul or obnoxious odors or a dense smoke and negatively affects anyone or the property of anyone in the vicinity thereof.

Person means any legal entity, including an individual, corporation or association.

Recreational fires (campfires) means a fire for the purpose of cooking or viewing for recreation. Fires shall not exceed an area of three feet by three feet by three feet, be attended at all times, and comply with all sections of this article.

Smudge Fires means burning of wet combustibles that emits dense smoke.

Trash means all waste material, refuse and debris from a domestic or commercial facility.

Yard Debris means leaves, twigs and branches.

Violation Penalty:

- (a) Any person violating any of the provisions of this article shall be guilty of a civil infraction and shall be punished by a fine.
- (b) If it becomes necessary to summon the fire department for extinguishing an illegal burn, Lexington Township will impose a fire run fee equal to the amount provided for in the Township fee schedule.

All Burning Controlled:

- (a) All burning within Lexington Township is a controlled activity and requires a

permit to burn unless stated otherwise here within. Permits may be obtained at the Lexington Township office during regular business hours at no fee.

Approved Fires:

(a) The following burning is allowed without a burning permit:

1. Recreation fires in residential districts in a container with a cover, defined containment, and fireplace or fire pit. All materials burnt must be natural and not treated with any form of preservative. Recreational fires in mobile home parks are only allowed in a container with a cover.

2. Barbecue grilling using charcoal, propane or natural gas.

Controlled Burning By Permit:

(a) The following burning is permitted in residential or commercial districts with a burn permit:

1. Recreation fires on the beach. Lakefront property owners may obtain a burn permit valid for sixty days and must call Central Dispatch for authorization to conduct a burning for that day. No fires allowed under this subsection should exceed 6 feet in height or 6 feet in diameter from any two opposing points.

2. Tree or bush trimming debris on lots with over 100 foot widths and an area over 12,000 square feet.

3. New construction wooden debris that is not treated with any preservatives on lots with over 100 foot widths and area over 12,000 square feet.

4. Defoliation burning.

5. Burning without a permit is a Grade B civil infraction.

Burning of Leaves and Other Yard Debris

1. If Lexington Township has arranged for satisfactory alternatives for leaf pick up, the Board will suspend issuance of burning permits for this purpose.

2. When authorized, burning of leaves and other yard debris is allowed with a burning permit

3. Other provisions in this ordinance for burning must be adhered to when burning leaves and other yard debris.

4. Burning of leaves and other yard debris, or lawn clippings.

Prohibited Burning:

- (a) The following burning is prohibited in all districts:
1. Garbage, trash, building demolition debris or lawn clippings.
 2. Any substance that causes dense smoke, emits foul or obnoxious odors, or emits hazardous or toxic by-products.
 3. In any area within 20 feet of a street or building, except recreational and defoliation fires.
 4. Smudge fires.
 5. A violation of this section is a Grade C civil infraction.

Commercial Burning:

- (a) Burning is prohibited in all commercial or industrial districts unless within a State approved incinerator or unless otherwise provided for within.
- (b) A violation of this section is a Grade D civil infraction.

MOVED BY: C. PARTAKA

SECONDED BY: W. WATSON

YEAS: J. O'Hair, D. McAllister, C. Misiak, W. Watson and C. Partaka

NAYS: None

ABSENT: None

SUPERVISOR DECLARED ORDINANCE ADOPTED


CAROLYN F. MISIAK, CLERK


CHAD PARTAKA, SUPERVISOR

I hereby certify that the foregoing constitutes a true and complete copy of an ordinance adopted by the Lexington Township Board of Trustees at a regular meeting held on, August 24, 2006.


CAROLYN F. MISIAK, CLERK