

ADA TOWNSHIP
ORDINANCE NO. O-071095-1

AN ORDINANCE TO AMEND THE ADA TOWNSHIP
ZONING ORDINANCE (ORDINANCE NO. O-021092-1,
AS AMENDED)

35.100 OPEN BURNING ORDINANCE TOWNSHIP OF ADA, MICHIGAN
ord. no. O-071095-1 adopted July 10, 1995

An Ordinance to promote the public health, safety and welfare by imposing limitations on open burning in Ada Township.

THE TOWNSHIP OF ADA ORDAINS:

35.101 Section 1. Statement of Purpose:

Open burning of leaves, grass and wood creates hazardous by-products that can irritate eyes and lungs, obscure visibility, soil nearby surfaces, create annoying odors and pose other health threats. Open burning may substantially increase the discomfort of residents who suffer from asthma and hay fever. In addition, open burning may result in increased acute respiratory illness, particularly in pre-school children and those with chronic bronchitis. This Ordinance is intended to reduce the negative impacts of open burning throughout the Township, but particularly within that portion of the Township which is most densely populated.

35.102 Section 2. Definitions:

OPEN BURNING: The burning of any materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed, when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

RESTRICTED AREAS is that portion of the Township located south of Fulton (M-21) and west of the Grand River.

YARD CLIPPINGS include leaves, grass clippings, and vegetable or other garden debris, but do not include shrubbery, or brush or tree trimmings.

35.103 Section 3. Limitations of Open Burning in the

Restricted
Area.

within A. Open burning of yard clippings is prohibited
the Restricted Area.

B. Open burning of shrubbery, brush and tree
trimmings is allowed within the restricted area (1)
only during the months of November through April; (2)
only in compliance with the requirements of the BOCA
National Fire Protection Code, as adopted by the
Township (the Code) and Act 329 of the Public Acts
of Michigan of 1969, as amended (Act 329); and (3)
after receipt of a permit pursuant to the Code or
Act 329; provided that the Township Fire Chief or
his designee in his sole discretion, may also permit
such open burning at any time in response to unusual
conditions caused by a severe windstorm or other
natural disaster.

C. Other open burning within the Restricted Area is
allowed in compliance with the Code and Act 329
after receipt of a permit pursuant to the Code and
Act 329 after receipt of a permit pursuant to the
Code or Act 329.

35.104 Section 4. Limitation on Open Burning in Portions of
the Township Not Within the Restricted Area.

Open burning in areas of the Township which are not
within the Restricted Area is allowed only in compliance
with the Code and Act 329 after receipt of a permit
issued pursuant to the Code or Act 329; provided that the
Township Fire Chief or his designee, in his sole
discretion, may also permit such open burning at any time
in response to unusual conditions caused by a severe
windstorm or other natural disaster.

35.105 Section 5. Severability.

The various parts, sections and clauses of this
Ordinance are hereby declared to the (be) severable. If any
part, sentence, paragraph, section or clause is adjudged
unconstitutional or invalid by a court of competent
jurisdiction, the remainder of the Ordinance shall not be
affected thereby.

35.106 Section 6. Effective Date.

This Ordinance shall become effective 30 days after the
publication hereof in a newspaper of general
circulation within the Township.

Joan Beimers
Township Clerk

George Haga
Township Supervisor

I hereby certify that this Ordinance was adopted by the Ada Township Board in regular session held on July 10, 1995, and that it was published in _____ on
_1995.

Joan Beimers
Township Clerk