

## ORDINANCE NO. 80-788

### AN ORDINANCE TO AMEND CHAPTER 13 OF THE WARREN CODE OF ORDINANCES RELATING TO OPEN BURNING

THE CITY OF WARREN ORDAINS:

SECTION 1. That Chapter 13, Article II, Division 5 of the Code of Ordinances of the City of Warren, Michigan, currently entitled Open Burning is hereby repealed entirely and amended to add Sections 13-51 through 13-57 as follows:

#### **Division 5- Open Burning**

##### **13-51. - General**

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section.

##### **13-52. - Allowable Open Burning**

The following types of open burning shall be allowed without prior notification to the code official and without a permit, and shall be constantly attended:

- A. Barbecues when cooking food for human consumption using only charcoal briquettes, LP-gas, or natural gas for fuel.
- B. Outdoor fireplaces may burn only dry, seasoned firewood, and shall not burn between the hours of 1:00 a.m. and 11:00 a.m., and must be utilized in accordance with manufacturer's specifications. (Generally, fire pits and chimeneas purchased from stores are acceptable. The pit or chiminea must be constructed of metal, ceramic, or brick and mortar; it must have a solid top with legs to keep it off the ground. It must have a spark arrestor constructed of iron, heavy wire mesh or other non-combustible material with openings not larger than 1/2". The spark arrestor or screen is required on the top and or sides. No fuels shall be allowed to stick out of the top of the pit or protrude from the sides.)
- C. Controlled fires by qualified instructors for fire suppression training; e.g., firefighter training, industrial fire brigade training, employee training for portable fire extinguishers.
- D. Heating of building materials or for the warmth of workers at construction sites burning only charcoal, dry, seasoned firewood, or other approved fuel, in an approved container.
- E. No fire will ever be left unattended without at least one person over the age of 18 observing it.
- F. Prohibited Materials to burn shall be as follows: construction and demolition waste, garbage, animal carcasses, refuse, trash, rubbish, hedge clippings, leaves, grass or any like materials giving off foul odors of any kind.

### **13-53.- Permit required**

A permit shall be obtained from the code official in accordance with Section 105.6 of the International Fire Code, adopted by reference pursuant to Sec 13-2 of this Chapter, prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

### **13-54.- Prohibited Open Burning**

Open burning that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The fire code official is authorized to order the extinguishment by the permit holder or the fire department of open burning which creates or adds to a hazardous or objectionable situation.

### **13-55. - Location**

The location for open burning shall not be less than 50 feet from any structure and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure, except as follows:

- A. Fires in approved containers that are not less than 15 feet from a structure.

### **13-56.- Open- flame cooking devices.**

Charcoal burners and other open-flame cooking devices shall not be operated on or below combustible balconies or within 10 feet of combustible construction, except as follows:

- A. One and two family dwellings
- B. Where buildings and decks are protected by an automatic sprinkler system.

### **13-57.- Liquefied-petroleum-gas-fueled cooking devices.**

LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds (nominal 1-pound LP-gas capacity) shall not be located on combustible balconies or within 10 feet of combustible construction, except as follows:

- A. One and two family dwellings

SECTION 2. This Ordinance shall take effect on May 17, 2021.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-788 was adopted by the Council of the City of Warren at its meeting held on April 27, 2021.

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SONJA BUFFA  
City Clerk

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