

**FIRE CONTROL
VILLAGE OF GRAND BEACH
ORDINANCE NO. 62**

**AN ORDINANCE REGULATING THE STARTING OF FIRE IN THE VILLAGE
OF GRAND BEACH, AND FOR THE ELIMINATION OF FIRE HAZARDS, AND
FOR THE PREVENTION OF FIRES.**

**THE VILLAGE OF GRAND BEACH ORDAINS THAT WITHIN THE VILLAGE
LIMITS:**

SECTION 1. WASTE ACCUMULATION

That no person shall allow or permit any rags, waste, chips, trash, rubbish, waste paper, ashes, oil, excelsior or other or combustible material to accumulate on or in any lands, premises or building owned or occupied by him, except in metal or other fireproof containers so located as not to constitute a fire hazard, nor shall any person keep or maintain any paint, varnish or similar material unless the same shall be kept in closed containers when not being applied.

SECTION 2. FIRE HAZARD

That no person shall construct or maintain on or in any lands, premises or building owned or occupied by him any boiler, stove, water tank or heater, furnace, chimney, pipe, duct or other devise for the production or transmission of heat, smoke or gas, or any electric wiring, which is so constructed, operated or located, or which is in such a condition of disrepair, as to constitute a fire hazard or to subject such lands, premises or building or other property in the vicinity thereof to the danger of fire or explosion.

SECTION 3. DANGEROUS STRUCTURE

That no person shall erect or maintain on any lands or premises owned or occupied by him any building or structure which by reason of improper construction, want of repair or other conditions therein is especially liable to fire or explosion or is so situated as to endanger other property in the vicinity thereof.

SECTION 4. OPEN FIRES

No person shall kindle or maintain any open fire (for purposes of lot clearing or farming purposes) in the Village of Grand Beach without having first obtained a written burning permit from the Zoning Administrator. Such permit shall be issued by the Zoning Administrator without charge on forms provided by him / her at Village expense. Such permit shall state the date of issuance, the length of time (not to exceed three days hereafter) during which it shall be in effect, and the place where such burning is to take effect. No permit shall be allowed for the burning of yard waste. Even though a burning permit is obtained as aforesaid, no open fire shall be kindled or maintained unless the same shall be located more than fifty feet from any building and shall be constantly attended until completely extinguished. Recreational fires for the purpose of recreation or meal preparation

are authorized without permit provided they are no closer than fifteen feet from a building and are constantly attended until completely extinguished and confined to a burning pit or outdoor grill. The Police Chief or any officer of the police department shall have the authority to order extinguishment of any fire whenever in his / her judgment the same shall constitute a hazard (because of high winds or other conditions) or a nuisance.

SECTION 5. BEACH BONFIRES

No person shall kindle or maintain any bonfire on the public beaches in the Village of Grand Beach without having first obtained a written burning permit from the Village Police Department. Such permit shall be issued by the Police Department without charge on forms provided by the Department. Such permit shall state the date of issuance, the length of time (not to exceed three days hereafter) during which it shall be in effect, and the place where such burning is to take effect. Even though a burning permit is obtained as aforesaid, no open fire shall be kindled or maintained unless the same shall be located more than fifteen feet from a building and are constantly attended until completely extinguished. The Police Chief or any officer of the Police Department shall have the authority to order extinguishment of any fire whenever in his / her judgment the same shall constitute a hazard (because of high winds or other conditions) or a nuisance.

SECTION 6. YARD WASTE

The burning of yard waste is strictly prohibited by the Village of Grand Beach. Yard Waste includes all grasses, weeds, leaves, and shrub clippings less than four (4) feet in length and two (2) inches in diameter, flowers, and basic waste resulting from landscaping and yard and lawn maintenance activities.

SECTION 7. EXEMPTION

The provisions of this Ordinance shall not apply to the Village of Grand Beach, when discharging a public function.

SECTION 8. ACCESS

The Zoning Administrator is hereby authorized to enter upon or into any lands, premises, building or structure within the Village at all reasonable hours for the purpose of inspecting the same to determine whether any fire hazard exists therein, or whether the provisions of this Ordinance are being observed, or whether all safety structures or other devices required hereby have been installed and are in good working order.

SECTION 9. DELEGATION

The Zoning Administrator shall have authority to designate any other official of the Village to perform the permitting or inspection duties imposed upon him or her by the terms of this Ordinance, or for the issuance of permits.

SECTION 10. PUBLIC NUISANCE

Every fire hazard of whatever nature or origin is hereby declared to be a public nuisance and the same may be abated and removed or its continuance enjoined in any manner provided or permitted by law for the abatement of nuisance. The term "fire hazard" as used in this Ordinance shall mean and include every building, structure, place, thing or condition which by reason of its nature, location, occupancy, condition or use may cause loss, damage or injury to persons or property by reason of fire or explosion.

SECTION 11. VIOLATION

Any person who violates any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine not to exceed \$500.00 or by imprisonment in the County Jail not exceeding ninety (90) days or both, such fine and imprisonment in the discretion of the Court, together with costs of prosecution, and in default of payment to ninety (90) days.

SECTION 12. DEFINITION

The term "person" as used herein shall mean and include natural persons, firms, partnerships, and corporations, and their agents, receivers, servants and trustees. The term "fire" or "bonfire" shall mean the open burning of any flammable material in the Village of Grand Beach, except a fire in a furnace, stove, boiler, fireplace or campfire restricted to recreational or meal preparation contained in a pit no larger than thirty-six (36) inches in diameter if circular or nine (9) square feet if square or rectangular.

SECTION 13. REPEALER

Ordinances 50, 57, and all other provisions or any other ordinance of the Village of Grand Beach in conflict with the provisions of this Ordinance are expressly repealed.

SECTION 14. EFFECTIVE DATE

This Ordinance shall take effect 30 days following its publication after adoption.

ORDINANCE DECLARED ADOPTED.

MARY ROBERTSON, Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Grand Beach, County of Berrien, State of Michigan, at a Regular Meeting, held on the 16th day of January, 2003, and that said Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.

MARY ROBERTSON, Clerk