

STATE OF MICHIGAN
COUNTY OF HURON
VILLAGE OF PORT AUSTIN

ORDINANCE NO. 111-06

AN ORDINANCE REGULATING THE USE OF OUTDOOR FURNACES WITHIN THE
VILLAGE OF PORT AUSTIN.

THE VILLAGE OF PORT AUSTIN ORDAINS:

1. Title and Authority

This ordinance shall be known as the Village of Port Austin Outdoor Furnace Ordinance.

2. Definition

“Outdoor Furnace” means any equipment, device, or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space.

3. Legislative Intent

Although outdoor furnaces may provide an economical alternative to conventional heating systems, concerns have been raised regarding the safety and environmental impacts of these heating devices, particularly the production of offensive odors and potential health effects of uncontrolled emissions. This ordinance is intended to ensure that outdoor furnaces are utilized in a manner that does not create a nuisance and is not detrimental to the health, safety, and general welfare of the residents of the Village.

4. Permit Required

No person shall cause, allow, or maintain the use of an Outdoor Furnace within the Village of Port Austin without first having obtained a permit from the Village Zoning Inspector. Application for permit shall be made to the Village Zoning Inspector.

5. Specific Requirements

A. Permitted Fuel-

Only firewood and Untreated Lumber is permitted to be burned in any Outdoor Furnace. Burning of any other materials in an Outdoor Furnace is prohibited.

B. Permitted Zones-

Outdoor Furnaces shall be permitted only in R-1 zoning districts as shown on the Village Zoning Map.

C. Minimum Lot Size-

Outdoor Furnaces shall be permitted only on lots of three (3) acres or more.

D. Setbacks-

Outdoor Furnaces shall be set back not less than 200 feet (200') from the nearest lot line.

E. Months of Operation-

Outdoor Furnaces shall be operated only between October 15th and May 15th.

F. Spark Arrestors-

All Outdoor Furnaces shall be equipped with properly functioning spark arrestors.

6. Penalties of Violation

Persons violating this ordinance shall be responsible for a Grade D (Level 4) civil infraction. Each and every day of noncompliance is a separate violation.

7. Severability Clause

Should any provision or section of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any remaining portion or section of this ordinance, it being the legislative intent that this Ordinance shall remain in effect, notwithstanding the invalidity of any such provision.

Presented at a regular meeting of the Village of Port Austin held in the Village Hall on the 9th day of January, 2006.

Motion by: Tony Loewe

Seconded by: Andy Preston

Yeas: 4

Nays: 3

Absent: 0

Abstain: 0

Ordinance adopted on the 9th day of January, 2006.

President: Marilyn Bruce Clerk: Judy Binkley