

**STATE OF MICHIGAN  
COUNTY OF HURON  
VILLAGE OF PORT AUSTIN**

ORDINANCE NO. 89-01  
FIRE PREVENTION AND PROTECTION

**THE VILLAGE OF PORT AUSTIN ORDAINS:**

**Section 1. Prohibiting Burning.**

It shall be unlawful to burn leaves, grass, brush, yard waste, hazardous waste, building materials, trash or rubbish within the Village of Port Austin.

**Section 2. Permitted Burning.**

- A. Open burning shall be allowed for the following purposes:
1. Cooking for human consumption.
  2. Heating tar, welding, torches, highway safety flares, heating for warmth of outdoor workers, smudge pots and similar occupational needs. Fires allowed by this paragraph shall not be used for waste disposal purposes and shall be of a minimum size sufficient for their intended purpose.
- B. Recreational fires are allowed within the Village of Port Austin provided all of the following conditions are met:
1. All recreational fires shall be confined to a fire ring or pit not to exceed 36 inches in diameter, or in a permanent or portable outdoor fireplace, including those commonly referred to as a chiminea.
  2. No recreational fire shall occur at any time when wind or other conditions will create or be reasonably likely to create a hazard or nuisance to any person or property.
  3. A responsible adult shall be present at all times during the burning of all recreational fires.
  4. No recreational fire shall occur within 20 feet of any building, or other structure, or upon the paved portion of any street, or in any front yard.
  5. All recreational fires shall be fully extinguished not later than 12:00 midnight.
  6. No recreational fire shall result in, cause, or be permitted to result in, or cause the release, discharge, dissemination, distribution or creation of toxic compounds, chemicals, agents or other toxic substances into or upon the ground, atmosphere or surrounding environs.

7. All recreational fires shall comply with all applicable fire, health, or safety statute, ordinance, code, rule or regulation.

**Section 3. Penalties for Violation.**

Any violation of, or failure to comply with, any of the provisions or requirements of this Ordinance shall be punishable by a fine not exceeding five hundred (\$500.00) dollars or imprisonment in the Huron County Jail for a term not to exceed ninety (90) days, or both, in the discretion of the Court.

**Section 4. 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.

**Section 5. Adoption.**

This Ordinance shall take effect thirty (30) days from the date of its passage and publication.

This Ordinance is hereby declared to have been adopted by the Village of Port Austin Council at a meeting thereof duly called and held on the 11<sup>th</sup> day of October, 2001.

Notice of Adoption published on October 18, 2001.

This Ordinance shall become effective on November 7, 2001.

Dated: October 11, 2001

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JUDY BINKLEY  
Port Austin Village Clerk

Dated: October 11, 2001

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MARILYN BRUCE  
Port Austin Village President