

**BEAR CREEK TOWNSHIP  
EMMET COUNTY, MICHIGAN**

Summary of an Outdoor Burning Ordinance, No. 37-18, adopted by the Bear Creek Township Board of Trustees at its regular meeting on May 2, 2018.

**Section 1 - Purpose.** States the purposes of the ordinance.

**Section 2 – Applicability.** The ordinance applies to all outdoor burning within the township, but certain specified activities and uses are not subject to the ordinance.

**Section 3 – Severability.** Provides that if any portion of the ordinance is found to be invalid, the validity of the remaining portions shall not be affected.

**Section 4 – Definitions.** Provides definitions for certain terms used in the ordinance.

**Section 5 – General Prohibition on Open Burning.** Provides that open burning is prohibited in the township unless specifically permitted by the ordinance.

**Section 6 – Open Burning of Refuse.** Prohibits certain types of open burning of refuse and provides conditions under which other types of open burning of refuse are allowed.

**Section 7 – Open Burning of Trees, Logs, Brush, Stumps, Leaves, and Grass Clippings.** Provides that the open burning of trees, logs, brush, stumps, leaves, and grass clippings is allowed only in accordance with the provisions of this section.

**Section 8 – Fire Suppression Training.** Provides that certain types of fire suppression training are exempt from the ordinance.

**Section 9 – Burning Permits.** A burning permit is required from the Michigan Department of Natural Resources for certain types of burning on or adjacent to forest land.

**Section 10 – Liability.** Provides that persons and entities using or maintaining an outdoor fire are responsible for fire suppression costs and other damage caused by the fire.

**Section 11 – Right of Entry and Inspection.** Allows the Fire Chief or authorized township representatives to inspect property concerning compliance with this ordinance.

**Section 12 – Enforcement and Penalties.** Identifies the Fire Chief, the Township Supervisor, and any other designee of the township board as parties authorized to enforce the ordinance and issue citations for violations. Indicates the penalties for violations of the ordinance.

**Section 13 – Nuisance Per Se.** Declares violations of the ordinance to be a nuisance per se.

**Section 14 – Nonexclusively.** Provides that the regulations of the ordinance are in addition to and not in place of any other ordinance, law, or regulation.

**Section 15 – Effective Date and Repealer.** Provides that the ordinance shall take effect 30 days following the publication of the ordinance or an ordinance summary. Also provides for the repeal of ordinances or parts of ordinances that conflict with this ordinance.

A true copy of the entire Bear Creek Township Outdoor Burning Ordinance may be inspected or obtained at the Bear Creek Township Hall, 373 North Division Road, Petoskey, MI 49770.

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Judy Mays  
Bear Creek Township Clerk