

**CHARTER TOWNSHIP OF PITTSFIELD  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE No. 340**

**AMENDING CHAPTER 10,  
FIRE PREVENTION AND PROTECTION**

**ADOPTED**

An ordinance to amend the Township Code by revising Chapter 10 Fire Prevention and Protection.

**THE CHARTER TOWNSHIP OF PITTSFIELD, WASHTENAW COUNTY, MICHIGAN, ORDAINS:**

That Chapter 10 of the Pittsfield Charter Township Code is hereby amended to read as follows:

**§ 10-1 Short title.**

This article shall be known as and may be cited as the "Fire Prevention Code of Pittsfield Charter Township."

**§ 10-2 Adoption of Fire Prevention Code.**

A certain document, copies of which are on file in the office of the Clerk of the Township, being marked and designated as "2024 International Fire Code," along with all appendices, code and commentary to this code (see International Fire Code Section 101.2.1), as published by the International Code Council, Inc., be and is hereby adopted as the code of Pittsfield Charter Township, State of Michigan for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Pittsfield Charter Township and providing for the issuance of permits for hazardous uses or operations and the collection of applicable fees; and each and all of the regulations, provisions, penalties, conditions and terms of such 2024 International Fire Code are hereby referred to, adopted and made a part hereof as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in § 10-3. The most current versions of the National Fire Codes and Standards, as published by the National Fire Protection Association, are also adopted by reference by the Township. In the event of conflict between the provisions of the International Fire Code and provisions of the National Fire Codes, the more stringent of the two shall govern. Complete copies of the National Fire Codes shall be available for public use and inspection at the office of the Clerk of the Township.

**§ 10-3 Additions, insertions and amendments to 2024 International Fire Code.**

The following sections are hereby revised as follows:

A. In Section 101.1, insert "Pittsfield Charter Township, Washtenaw County, Michigan."

B. Section 104.1 is amended as follows:

**104.1 General.** The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

With the addition of the following text at the end of Section 104.1:

The Fire Code officials for Pittsfield Charter Township shall be the Fire Chief or Fire Marshal, or the designee of either the Fire Chief or Fire Marshal.

## Article II **Open Burning**

[Adopted 2-25-2015 by Ord. No. 317 as Ch. 10, Art. III, of the 2015 Pittsfield Charter Township Code]

### § 10-4 **Purpose.**

This article is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Township by regulating the air pollution and fire hazards of open burning and outdoor burning.

### § 10-5 **Applicability.**

This article applies to all outdoor burning and open burning within the Township.

A. Except as provided in § **10-13**, this article does not apply to grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances.

B. This article does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.

C. This article does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

### § 10-6 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BONFIRE**

An outdoor fire utilized for ceremonial or recreational purposes- A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbeque pit or a UL listed fire pit. Conditions that could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

**CLEAN WOOD**

Natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.

**CONSTRUCTION AND DEMOLITION WASTE**

Construction materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

**DIRECTOR OF PUBLIC SAFETY OR HIS/HER DESIGNEE**

The department head of the Township Public Safety Department or other person designated by the Director of Public Safety.

**FIRE CODE OFFICIAL**

The Township's Fire Chief or Fire Marshal.

**MUNICIPALITY**

A county, township, city, or village.

**OPEN BURNING**

Kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney. This includes burning in a burn barrel.

**OUTDOOR BURNING**

Open burning or burning in an outdoor wood-fired boiler or patio wood-burning unit.

**OUTDOOR WOOD-FIRED BOILER**

A wood-fired boiler, stove or furnace that is not located within a building intended for habitation by humans or domestic animals.

**PATIO WOOD-BURNING UNIT**

A chimney, patio warmer, or other portable wood-burning device used for outdoor recreation and/or heating.

**PRESCRIBED BURN**

The burning, in compliance with a prescription and to meet planned fire or land management objectives, of a continuous cover of fuels.

### **PRESCRIPTION**

A written plan establishing the criteria necessary for starting, controlling, and extinguishing a burn.

### **RECREATIONAL FIRE**

A small outdoor fire intended for recreation or cooking but not including a fire intended for disposal of waste wood or refuse. No larger than three feet by three feet by three feet. Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

#### **§ 10-7 General prohibition on outdoor burning and open burning.**

Open burning and outdoor burning are prohibited in the Township unless the burning is specifically permitted by this article.

#### **§ 10-8 Open burning of refuse prohibited.**

Open burning of refuse is prohibited.

#### **§ 10-9 Open burning.**

A. Open burning of trees, logs, brush, stumps, leaves, and grass clippings is prohibited unless the burning is specifically permitted in this article.

B. Open burning of trees, logs, brush, stumps, leaves and grass clippings is permitted in zoned agricultural districts.

C. A permit issued in accordance with § **10-16** must be obtained prior to open burning under this section.

D. Except for barbecue, gas, and charcoal grills, no open burning shall be undertaken during periods when the Governor of Michigan has issued a burning ban applicable to the area.

E. All allowed open burning shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.

F. Open burning shall be conducted only on the property on which the materials were generated.

G. Outdoor patio burning units, recreational fires and bonfires for cooking, ceremonies, or recreation are allowed, provided they do not cause a nuisance.

H. Open burning under this section shall only be conducted at a location at least 50 feet from any structure and 15 feet from any property line.

I. Except for recreational fires and bonfires, open burning shall only be conducted between the hours of 7:00 a.m. and one hour prior to dusk.

J. A bonfire shall not be more than three feet wide and three feet high and shall not burn longer than three hours. The maximum size and duration of a bonfire shall not be increased by the Fire Department personnel unless it is determined that fire safety requirements of the situation and the desirable duration of burn warrant the increase. Fuel for a bonfire shall consist solely of seasoned dry firewood and shall be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes.

K. Open burning, bonfires, recreational fires, and outdoor patio wood burning units shall be constantly attended and supervised by a competent person of at least 18 years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

L. Materials shall not be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or water body.

M. Except for barbecue, gas, and charcoal grills, no burning shall be undertaken within 50 feet from any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire Code Official or his/her designee.

N. No open burning may be conducted on days when the Michigan Department of Environmental Quality has declared an "air quality action day" applicable to the Township.

O. Open burning shall be in one location on permitted property. The size of the open burn may not exceed three feet in height and three feet in diameter.

**§ 10-10 Agricultural burning.**

Open burning of weeds, brush, and crop stubble on agricultural lands is allowed if conducted in accordance with other applicable provisions of this chapter.

**§ 10-11 Prescribed burns.**

A. All prescribed burns require a permit which may only be issued after plan review by the Fire Code Official.

B. Fires set for forest, prairie, and wildlife habitat management are allowed only if conducted in accordance with Part 515 of the Natural Resources and Environmental Protection Act, MCL 324.51501 et seq.

**§ 10-12 Outdoor wood-fired boilers.**

After February 19, 2011, no person shall install an outdoor wood-fired boiler in the Township.

§ 10-13 **Open-flame cooking devices.**

Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.

A. Exceptions.

(1) One- and two-family dwellings.

(2) Where buildings, balconies and decks are protected by an automatic sprinkler system.

(3) LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal one pound (0.454 kg) LP-gas capacity].

§ 10-14 **Patio wood-burning units.**

A patio wood-burning unit may be installed and used in the Township only in accordance with all of the following provisions:

A. The patio wood-burning unit shall not be used to burn refuse.

B. The patio wood-burning unit shall burn only clean wood.

C. The patio wood-burning unit shall be located at least 15 feet from the nearest structure.

D. The patio wood-burning unit shall not cause a nuisance to neighbors.

E. The use of patio wood-burning units is prohibited on balconies and covered porches of multifamily dwellings.

§ 10-15 **Fire suppression training.**

Notwithstanding §§ 10-7 and 10-8, structures and other materials may be burned for fire prevention training only in accordance with all of the following provisions:

A. The burn must be exclusively for fire prevention training. The burning shall not be used as a means to dispose of waste material, including tires and other hazardous materials.

B. Any standing structure that will be used in fire suppression training must be inspected and should be inspected by a licensed asbestos inspector. A notification of this inspection must be submitted to the Michigan Department of Environmental Quality, Air Quality Division at least 10

business days prior to burning a standing structure. The notification must be submitted to Michigan Department of Environmental Quality or its successor agency with same authority, using Form EQP 5661 "Notification of Intent to Renovate/Demolish or other form as designated by proper inspecting agency."

C. All asbestos must be removed prior to conducting the fire suppression training. If the structure is a residential dwelling, the owner may remove the asbestos or have it removed by a licensed abatement contractor. If it is a commercial building, all asbestos must be removed by a licensed abatement contractor.

D. All ash shall be disposed of in an approved landfill or at an alternate location approved by the Michigan Department of Environmental Quality.

E. Asphalt shingles and asphalt or plastic siding shall be removed prior to the practice burn unless the Fire Code Official or his/her designee determines that they are necessary for the fire practice.

F. At least 48 hours before a planned practice burn, residents within 1,000 feet of the site of the proposed burn shall be notified.

G. All fire suppression training should conform to the guidelines established by the National Fire Protection Association (NFPA) Standard on Live Fire Training Evolutions (NFPA 1403).

§ 10-16 **Burning permits.**

A. No person shall start or maintain any open burning covered under this section without a burning permit issued by the Fire Code Official or his/her designee.

B. Any person responsible for burning leaves, brush, clean wood or other vegetative debris under § 10-9 shall obtain a burning permit before starting the fire.

C. When weather conditions warrant, the Fire Code Official or his/her designee may temporarily suspend issuing burning permits and may temporarily suspend previously issued burning permits for open burning.

D. A burning permit issued under this section shall require compliance with all applicable provisions of this article and any additional special restrictions deemed necessary to protect public health and safety.

E. Any violation of the conditions of a burning permit shall be deemed a violation of this article. Any violation of this article or the burning permit shall void the permit.

F. Permits will be issued through the Fire Code Official or his/her designee, provided all requirements of this article are met.

G. The Fire Code Official may adopt procedures for the issuance of burning permits and the enforcement of this article.

**§ 10-17 Liability.**

A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

**§ 10-18 Right of entry; inspection.**

The Fire Code Official or his/her designee or any authorized officer, agent, employee or representative of the Township who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this article.

**§ 10-19 Enforcement; violations and penalties.**

A. The Fire Code Official or his/her designee, certified personnel of the Department of Public Safety and Township and code enforcement personnel are authorized to enforce the provisions of this article.

B. A violation of this article is a municipal civil infraction.

C. Any individual, firm, association, partnership, corporation, limited liability company, consortium, governmental entity, or any other legal entity who violates any of the provisions of this article or fails to comply with a duly authorized order issued pursuant to this article may be issued a municipal civil infraction subject to the penalties established by Chapter 2, Article V, Municipal Civil Infractions; Civil Fines and Penalties, of the Pittsfield Charter Township Code.

**Article III Fire Safety Inspections**

[Adopted 2-25-2015 by Ord. No. 317 as Ch. 10, Art. IV, of the 2015 Pittsfield Charter Township Code]

**§ 10-20 Purpose.**

The purpose of this article is to provide for the inspection of nonresidential premises to ensure compliance with the International Fire Code and applicable statutes and ordinances and to enhance the prevention of fires and the protection of persons and property from exposure to the dangers of fire and explosion through the issuance of certificates of compliance.



§ 10-21 **Modifications.**

The Chief of the Fire Department and/or the Fire Marshal shall have the power to modify any of the provisions of the Fire Prevention Code upon application, in writing, by the owner or lessee of premises, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department and/or the Fire Marshal thereon shall be entered upon the records of the Department and a signed copy shall be furnished to the applicant.

§ 10-22 **Certificate of compliance required for fire safety.**

A. Nonresidential structures shall be classified by use according to the classifications and definitions used in the 2024 International Fire Code. The owner and/or lessee of each such structure shall obtain a certificate of compliance from the Fire Department certifying that the premises has been inspected for fire safety. Certificates shall be valid for the time period indicated by the Fire Code Official or his/her designee.

§ 10-23 **Fees for inspections and re-inspections.**

Schedule of fees. The fee schedule for certificate inspections and re-inspections shall be established by resolution of the Township Board of Trustees upon the recommendation of the Supervisor.

§ 10-24 **Appeals.**

Whenever the Chief of the Fire Department and/or the Fire Marshal shall disapprove an application or refuse to grant a certificate applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the Fire Department and/or the Fire Marshal to the Construction Board of Appeals who shall conduct the appeal in accordance with the provisions contained in 2024 International Fire Code, Appendix A, Board of Appeals, within 30 days from the date of the decision appealed.

§ 10-25 **Right of entry and inspection.**

The Fire Code Official or his/her designee or any authorized officer, agent, employee or representative of the Township who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this article.

§ 10-26 **Enforcement; violations and penalties.**

A. The Fire Code Official or his/her designee, certified personnel of the Department of Public Safety, authorized fire officials and Township code enforcement personnel are authorized to enforce the provisions of this article.

B. A violation of this article is a municipal civil infraction.

C. Any individual, firm, association, partnership, corporation, limited liability company, consortium, governmental entity, or any other legal entity who violates any of the provisions of this article or fails to comply with a duly authorized order issued pursuant to this article may be issued a municipal civil infraction subject to the penalties established by Chapter 2, Article V, Municipal Civil Infractions; Civil Fines and Penalties, of the Pittsfield Charter Township Code.

This Ordinance shall be published in the manner as required by law. Except as otherwise provided by law, this Ordinance shall be effective on the day after final publication.

This Ordinance was duly adopted by the Charter Township of Pittsfield Board at its regular meeting held on the 12<sup>th</sup> day of June, 2024, and was ordered given publication in the manner required by law.

\_\_\_\_\_  
Michelle L. Anzaldi, Clerk  
Charter Township of Pittsfield

Dated: \_\_\_\_\_, 2024

\_\_\_\_\_  
Mandy Grewal, Supervisor  
Charter Township of Pittsfield

Dated: \_\_\_\_\_, 2024

First Reading:

May 22, 2024

Adoption:

June 12, 2024

Posted:

June 13, 2024

Final Publication:

June 16, 2024

Effective Date:

June 17, 2024

**CLERK'S CERTIFICATE**

I, Michelle L. Anzaldi, Clerk of the Charter Township of Pittsfield, Washtenaw County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of Pittsfield Charter Township Zoning Ordinance No. 340, which was duly adopted by the Township Board of Pittsfield Charter Township at a Regular Meeting of said Board, held on June 12, 2024, after said Ordinance had previously been introduced at a Regular Meeting of the Board held on May 22, 2024, and published in the form it was introduced.

I further certify that Clerk Anzaldi moved for adoption of said Ordinance, and that Trustee Krone supported said motion.

I further certify that the following Members voted for adoption of said Ordinance: Grewal, Anzaldi, Scribner, Edwards-Brown, Jaffer, Krone, Urda-Thompson, and that the following Members voted against adoption of said Ordinance: None, that the following Members were absent or abstained from voting on the adoption of said Ordinance: None.

I further certify that after its passage the Ordinance was published on June 16, 2024, in accordance with P.A. 359 of 1947, as amended, by Ann Arbor News.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Clerk.

\_\_\_\_\_  
Michelle L. Anzaldi  
Charter Township of Pittsfield Clerk

Dated: \_\_\_\_\_, 2024

First Reading:	May 22, 2024
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