

**VILLAGE OF CASNOVIA
COUNTIES OF KENT AND MUSKEGON, MICHIGAN**

At a regular meeting of the Village Council of the Village of Casnovia, held at the Village Hall, 141 North Main St., within the Village, on the 14th day of October , at 7:15 p.m.

PRESENT: Members: Morris, Frary, Bennitt, Palinski

ABSENT: Members: Kahrs

The following ordinance was offered by Member Frary and seconded by Member Palinski.

ORDINANCE NO. Δ 2024-04 Amended 2020-03Δ.

Δ AN ORDINANCE TO REGULATE BURNING WITHIN THE VILLAGE, to amend established 2020-03. An Ordinance to Protect the Health, Safety, And Welfare of The People of The Village of Casnovia by Regulating the Outdoor Burning and Use of Fires and To Provide Penalties for Violation and Any of The Provisions of This Ordinance. **Δ (Note: The presence of the Delta symbol Δ before and after a section will denote a change to the ordinance.)**

THE VILLAGE OF CASNOVIA ORDAINS:

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Section 1. Purpose:

Amending and regulating the Ordinance for the Village of Casnovia. To protect the health, safety, and welfare of the people of the Village of Casnovia by regulating the use of weaponry and to provide penalties for violation and any of the provisions of this ordinance.

Section 2. Definitions:

- a. Burning Permit. Permission to burn, issued orally or by written permit by the Tyrone Township Fire Department Chief or Assistant Fire Chief or the Casnovia Township Fire Department Chief or Assistant Fire Chief.
- b. Flammable Waste Material. Any waste or discarded substance that will burn, including but not limited to debris, brush, stumps, logs, grass, stubble, leaves, wooden pallets, or skids.
- c. Open Burning. An open flame or smoldering fire, emitting smoke and/or offensive odor.

Section 3. Prohibited Burning:

- a. There shall be no open burning permitted in the Village of Casnovia except in accordance with a burning permit issued by the Tyrone Township Fire Chief or the Assistant Fire Chief or the Casnovia Township Fire Chief or Assistant Fire Chief, with the exception of open burning as set forth in Section 3 herein.
- b. In no event shall any person burn any garbage, plastic, Styrofoam, flammable waste material, or any other synthetic material or other hazardous materials, nor shall any rubber or rubber-based materials be burned in the Village, regardless of the method used of burning.
- c. No person shall permit the emission from any chimney or smokestack of dense smoke or smoke containing soot or other substance in sufficient quantity as to noticeable deposit soot or other substance within the Village. The emission of such soot or other substance is hereby declared to constitute a public nuisance.

Section 4. Permitted Open Burning:

- a. The burning of wood, charcoal, coal, or other conventional fuel for the sole purpose of the preparation of food, in containers and with utensils commonly used for such purpose, when conducted in accordance and accepted safety standards, with such burning to take place in and outdoor grill, or outdoor barbecue facility, with the fire to be not larger than needed for the preparation of food.
- b. Approved gaseous or portable heaters commonly used in building and construction operations, in compliance with accepted safety standards.
- c. The heating of tar, pitch or oil by roofers, tanners, or other tradespersons in the course of their trades, in compliance with accepted safety standards.
- d. Fires authorized for the training of firefighters or other controlled burnings approved by the Tyrone Township Fire Chief or the Casnovia Township Fire Chief.
- e. Small scale bonfires, campfires made of kindling wood or other material of small size, under adult preparation and supervision, but not involving the burning of leaves, garbage, or other refuse, when such small-scale fires are lit in connection with neighborhood block parties or other social gatherings. Such bonfires must be held within a designated pit, enclosed by steel, cement, or stone.

All such burning shall be done under the continuous supervision of an adult.

Section 5. Penalties:

- a. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$100 nor more than \$500 for the first offense and not less than \$100 nor more than \$1,000 for subsequent offenses, in the discretion of the Court, and in addition to all other costs, damages, and expenses provided by law.
- b. For the purposes of this section, “subsequent offense” means a violation of this Ordinance committed with respect to a separate incident by the same person within 12 months of a previous violation of the ordinance for which said person admitted responsibility or was adjudicated to be responsible. Each day that such a violation occurs shall constitute a separate offense.

Section 8. Repealed/Amended Ordinances:

Ordinance No 2020-03 is hereby repealed/amended and replaced with Ordinance No. 2024-04

Section 9. Severability:

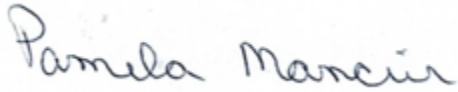
The provisions of this ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section, or sub-section is declared to be void or ineffective for any reason, it shall not affect any other part or portion hereof.

Section 10. Publication/Effective Date:

A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation, within 15 days after adoption. This Ordinance shall become effective upon such publication. ▲

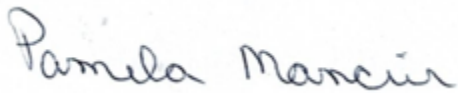
ORDINANCE DECLARED ADOPTED.

AYES: 4
NAYES: 0

Handwritten signature of Pamela Manciu in blue ink.

(Pamela Manciu), Village Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Casnovia at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Handwritten signature of Pamela Manciu in blue ink.

(Pamela Manciu), Village Clerk