

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF BLOOMFIELD HILLS
ORDINANCE NO. 451

**AN ORDINANCE TO AMEND SECTION 6-6-OUTSIDE BURNING OF
WASTE MATERIAL, REFUSE, LEAVES, ETC. OF ARTICLE I - IN
GENERAL OF CHAPTER 6 - FIRE PREVENTION AND
PROTECTION, OF THE BLOOMFIELD HILLS CITY CODE, AS
AMENDED, TO PROHIBIT CERTAIN OPEN BURNING IN THE CITY**

THE CITY OF BLOOMFIELD HILLS ORDAINS:

Section 1.

Section 6-6 - Outside burning of waste material, refuse, leaves, etc. , of Article I - In General, of Chapter 6 - Fire Prevention and Protection, of the Bloomfield Hills City Code, as amended, is hereby amended to now read as follows:

Sec. 6-6 - Open burning.

- (1) Except as provided in Subsections 2 and 3 of this Section, the open burning and/or open incineration of waste material, refuse, trash, garbage, construction materials, paper, leaves, brush, grass clippings, yard waste and other combustible debris, outside of a building or structure is prohibited in all residential areas of the City.
- (2) Outdoor burning of wood in a wood-burning unit is permitted in all residential areas in the City provided the requirements of items (a)-(d) set forth below are complied with. "Outdoor burning" shall mean the burning in a wood-burning unit. "Wood-burning unit" shall mean a portable fire pit, chimnea, patiowarmer, or other portable wood-burning device used for outdoor recreation and/or heating, which wood-burning unit must be enclosed with screening on all sides including the top and shall be constructed of steel, concrete, clay or other non-combustible material. Outdoor burning of wood in a wood-burning unit shall be conducted in accordance with all of the following requirements:
 - (a) The wood-burning unit shall bum only firewood or kindling.
 - (b) The wood-burning unit shall be located at least 15 feet from the nearest structure or building.
 - (c) Fires in wood-burning units shall be supervised by at least one person who is 18 years of age or older.

- (d) There shall be a garden hose connected to a reliable water source or a fully functional fire extinguisher located within 20 feet of the wood-burning unit.
- (3) The prohibition of open burning in this Section 6-6 does not apply to grilling or cooking food using charcoal cookers, propane or natural gas in cooking appliances, barbecue grills, braziers, hibachis, outdoor fireplaces or gas-fired stoves and similar semi-enclosed devices on the premises of a one-family dwelling.
- (4) Any person who violates any provision of this Section shall be deemed responsible for a municipal civil infraction punishable by a civil fine of \$200. A person who violates any provision of this Ordinance for a second time or any additional time thereafter shall be deemed responsible for a municipal civil infraction punishable by a civil fine of \$500.
- (5) To the extent that this Section 6.6 is in conflict with any provision of the International Fire Code pertaining to open burning, this Section 6.6 shall control and govern.

Section 2. Repealer.

Any and all Ordinances and resolutions heretofore adopted inconsistent herewith are hereby repealed to the extent that the provisions thereof are inconsistent with the provisions hereof.

Section 3. Severability.

If any one (1) or more provisions of this Ordinance shall ever be held by any Court of competent jurisdiction to be invalid or unenforceable for any reason, the remaining provisions hereof shall nevertheless be continued in full force and effect, it being expressly recited and declared that such remaining provisions would have been enacted despite the invalidity of such provision or provisions so held to be invalid.

Section 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon publication in the manner prescribed by the Bloomfield Hills City Charter.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Bloomfield Hills at a meeting thereof duly called and held on the 14th day of June, 2022, and ordered to be given publication in the manner prescribed by the Charter of the City of Bloomfield Hills.

AYES: 4 (McCarthy, Buckley, McClure, Fisher

NAYES:

ABSTENTIONS:

ABSENT: 1 (Baxter)

STATEOFMICHIGAN)
) ss.
COUNTYOFOAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Bloomfield Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 451 adopted by the City Commission of the City of Bloomfield Hills on the 14th day of June, 2022, the original of which is in my office.

Amy Burton, City Clerk
City of Bloomfield Hills