

**CHAPTER 8. FIRES AND HAZARDOUS OR TOXIC MATERIALS<sup>8</sup>.****Sec. 1. Purpose.**

The purpose of this Chapter is to prohibit certain fires and to control and regulate other fires by requiring permits before undertaking burning; to provide reimbursement to the Township for hazardous and toxic material cleanups; to provide for hours for burning; and to provide penalties for the violation of the terms hereof.

**Sec. 2. Permitted Burning Without a Permit.**

- A. Paper products may be burned, without a permit, subject to compliance with the remaining terms of this section.
- B. No person shall burn any paper products unless confined within a fire-proof container constructed of metal or masonry with an approved spark arrestor with openings no larger than three-fourths of an inch.
- C. Hours of burning shall be from seven o'clock (7:00) a.m. to no later than eight o'clock (8:00) p.m.
- D. Burners of the metal drum or portable type shall not be located less than 20 feet from any building or less than 5 feet from the adjoining property line.

**Sec. 3. Burning With a Permit.**

- A. No person shall, within the limits of the Township of Putnam, set or cause to be set, burn or cause to be burned, at any time, brush, grass, wood or garden debris unless such person first obtains from Putnam Township a written permit for such fires.
- B. Any person desiring a permit must furnish the following information:
  - 1) the name and address of the applicant;
  - 2) the location of the land and premises where such fire is to be set;
  - 3) the nature and quantity of the material to be burned, and;
  - 4) the time contemplated for setting such fire.

**Sec. 4. Prohibited Burning.**

No person, with or without a permit, shall burn any materials not listed in the above sections.

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<sup>8</sup>Ord. 25 was adopted on Jul. 21, 1993, eff. Aug. 23, 1993. This Article repealed Ord. 12. See MCLA 750.79.

**Sec. 5. Fire and Service Charges.**

- A. The following shall be jointly and severally liable to the Township for the expenses incurred by the Township in rendering fire services or in services to clean up a hazardous or toxic material incident:
- 1) Any individual setting a fire without a permit contrary to the provisions of this Chapter;
  - 2) Any individual with a permit, setting a fire which becomes uncontrolled;
  - 3) The owners of the real property at which such fire occurs; and
  - 4) Any individual, partnership, corporation or other legal entity causing a hazardous or toxic material incident.
- B. The Township Clerk shall forward an invoice for the actual expense to the person or persons responsible for the payment of same.
- C. Payment shall be due no later than thirty (30) calendar days following the postmark on the envelope containing the invoice.

**Sec. 6. Collection Procedures.**

- A. The charges shall constitute a lien on the real property for which the fire services or the services in connection with a toxic or hazardous incident were rendered. If the total charges are not paid within sixty (60) days after they are due, the Treasurer shall, prior to the first day of September of each year, certify to the tax assessing officer of the township the facts of such delinquency, whereupon the Assessor shall enter the delinquent amount on the next general tax roll as a charge against the property, and the liens thereupon shall be enforced in the same manner as provided by law for delinquent and unpaid taxes.
- B. The Township shall be empowered to initiate proceedings in any court of competent jurisdiction to collect said costs as a matured debt of the Township. This remedy shall be an addition to the lien provided in Section 6 A. and any other remedy now or hereafter given by Michigan Law.

**Sec. 7. Actual Expenses.**

The charges that shall be assessed as actual expenses under this Article shall include: personnel expense; equipment expense; and supplementary direct expense. The Board of Trustees shall consider the following definitions in determining the costs to be imposed for the fire services rendered by the Township.

- 1) *Personnel Expense.* The total composite wage and benefit cost of all fire service personnel shall be determined by adding the personnel expenses, as stated in an approved Township audit, plus a percentage factor of the composite total to represent administrative costs. This amount shall be divided by the total department runs accounted for in the applicable fiscal year covered by the audit. The computed resulting rate, as adopted by the Board of Trustees, shall be charged for each hour, or portion thereof, in which department personnel remain in service.