

**Ordinance #126**  
**Amendment to Article VI. Of Chapter 43 Fire Ordinance**  
**Fire and Explosions**

Chapter 43. Fire

Article VI. Fire and Explosion Hazards

§ 43-28. Purpose.

The purpose of this article is to prescribe regulations governing conditions hazardous to life and property from fire or explosion.

§ 43-29. Definitions.

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

OPEN FIRE

Includes, but is not limited to, bonfires, rubbish and brush fires and those fires not contained within an approved waste burner/incinerator.

PERSON

Refers to individuals, partnerships, firms, businesses, corporations, organizations, schools, churches and institutions.

§ 43-30. Damage to fire equipment.

No person shall willfully take for his own private use or damage in any manner any fire-fighting equipment or apparatus or anything pertaining to the Blackman Township fire-fighting system, or drive any vehicle upon or against any hose or equipment of the Blackman Township Public Safety Department.

§ 43-31. Obstruction of fire hydrants.

No person shall place or cause to be placed, or having placed or caused to be placed allow to remain, any obstruction whatsoever within 15 feet of any fire hydrant.

§ 43-32. Opening fire hydrants.

No person, unless authorized by the Blackman Township Public Safety Department or state statutes, shall use any fire hydrant except in case of emergency. In no case shall any wrench or tool be used on any fire hydrant other than a regulation Public Safety Department hydrant wrench.

§ 43-33. Fire inspection.

The Township Public Safety Director, or designee, hereby is empowered to enter upon any premises, building, or structure, at reasonable times, for the purpose of examining and inspecting the same to ascertain the conditions, arrangement, efficiency and adequacy of any fire-fighting appliances. In the event that said inspection discloses a fire hazard or deficiency in any fire-fighting appliance, the Public Safety Director shall order the condition remedied. The Public Safety Director may appoint one or more full-time employees of the Public Safety Department to make the aforesaid inspections, and said inspectors are empowered to make such written orders as may be necessary to correct any fire hazard or deficiency in a fire-fighting appliance as the Public Safety Director himself is authorized to make. Every order made by the Public Safety Director, or designee, or authorized member of the Public Safety Department shall set forth a reasonable time for correction of the hazard or deficiency and shall be promptly obeyed.

§ 43-34. Waste accumulation and storage.

No person owning or being responsible for any premises shall permit any wastepaper, ashes, oil, rags, excelsior or any material of a similar nature to accumulate thereon, unless contained in fire-proof receptacles. Dead weeds, grass, vines or other nonagricultural growth which is a potential fire hazard to property shall be removed by the person responsible for the premises. Should the person fail to control or remove such materials, the Township of Blackman may have the material removed and the expense thereof charged to the responsible person.

§ 43-35. Fire exits.

The following rules relative to passageways, stairs and fire exits shall be applicable to all public buildings, places of assembly, commercial and business buildings, motels, apartment buildings, lodging houses, tourist homes and all other buildings except private dwellings and except as otherwise expressly limited herein to a particular type of building.

A.

Fire escape openings. No fire escape, stairway, balcony or ladder on any building shall be obstructed, out of repair, or maintained in a hazardous condition. Doors and windows leading to any fire escape shall open easily from the inside.

B.

Hazardous egress. No combustible material shall be stored, placed or kept under or upon any passageway, stairs or elevator shaft, nor shall any such material be stored, placed or kept in any other part of any building in such a position as to obstruct or render hazardous egress therefrom.

C.

Obstructions. All doors, hallways and stairways shall be unobstructed at all times.

D.

Public assembly. In all theaters, churches, schools and other places of public assembly, no door, aisle or passageway shall be obstructed with any furniture or article; nor shall any person sit or stand or be permitted to sit or stand in any aisle, or in any exit or passageway; and all exits and the sidewalks leading therefrom shall be unobstructed while such places of public assembly are in use.

E.

Causing of violation. No person shall do any act which causes any violation of any of the rules set forth in this section, nor shall any person owning a building or in charge thereof, as agent, or employee permit any of said rules to be violated.

§ 43-37. Open fires.

The burning of certain waste material outside of building or structure shall be permitted if done in accordance with the following rules:

A.

Open burning. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road or other public ground without a permit from the Public Safety Department. During construction or demolition of buildings or structures, no waste material or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit from the Public Safety Department.

B.

Burning on private land. No person shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained on any private land without first having obtained a permit from the Public Safety Department. Nor shall any fire be kindled or maintained in any outdoor container unless such container has been approved by and a permit issued by the Public Safety Department. The burning of garbage or refuse that smolders or gives off noxious odors is prohibited.

C.

Prohibition of fires. The Public Safety Director may prohibit any and all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

D.

Burning of garbage. It shall be unlawful to burn any garbage, or other organic refuse, outside of any building at any time in the Township.

E.

Paper burning. It shall be unlawful to burn papers, excelsior or other material which may be blown about by the wind anywhere in the Township unless the same is burned in a stove, fireplace or furnace or in an incinerator sufficiently fine to prevent the escape of ignited particles.

F.

Hours of burning. It shall be unlawful to burn at any time except between the hours of sunrise and sunset.

G.

Leaf burning. It shall be unlawful to deposit or leave any refuse or material in such a place or condition that it can be blown by the wind so as to be scattered or cause clouds of dust or particles; and it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be wind-blown or scattered.

H.

Water availability. No burning shall be done unless an adequate water supply or fire extinguisher is available at the burning site to control the fire.

I.

Supervision of burning. No burning shall be done unless under the supervision of a person of mature years and discretion.

§ 43-38. Burner/incinerator fires.

Incineration of waste material, refuse, leaves, paper or other combustible debris, outside of a building or structure, shall be permitted if done in accordance with the following rules:

A.

Burning containers.

(1)

All such burning must be done in a metal or masonry container having a suitable metal cover and so constructed as to prevent the dispersal of sparks and burning material to neighboring or adjacent buildings or premises. Wire mesh burners or baskets are prohibited.

(2)

The burner cover or stack shall not have any perforation or openings larger than 1/2 inch.

B.

Burning perimeters. No such burning may be done within 15 feet of an existing building or within 15 feet of a property line without the consent of the adjoining property owner.

C.

Hours of burning. It shall be unlawful to burn at any time except between the hours of sunrise and sunset on any day.

D.

Wind conditions. No such burning shall be done at any time or place when wind conditions will create or be apt to create a nuisance to anyone or the property of anyone in the vicinity thereof, or be a danger to the property of any person in the vicinity thereof.

E.

Burning size. No such burning shall be done where its maximum size is not controllable by one person of mature years and discretion.

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Editor's Note: See also Ch. 55, Art. XIV, Outdoor Wood-Fired Boilers.

#### § 43-39. Violations and penalties; service charges.

Any person who shall kindle or maintain or who causes to be kindled or maintained any fire without a permit or use of a burner/incinerator which does not meet the minimum specifications established by this article shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 or imprisonment in the county jail for a period not exceeding 90 days, or both fine and imprisonment. Any person who shall kindle or maintain or who causes to be kindled or maintained any fire which necessitates control or extinguishment by the Blackman Township Public Safety Department shall be liable to the Township for all costs and charges incurred by the Township for the control or extinguishing of such fire. The aforesaid costs and charges may be collected by the Township of Blackman by suit in any court of record.

#### § 43-40. Blasting.

No person shall blast or carry on any blasting operation without first having obtained a written permit from Blackman Township. Before any such permit is issued, the applicant therefor shall file with the Township Clerk a bond or policy of insurance in the amount specified by the Township, which amount shall be reasonably commensurate with the risk of damage to property and injury or death to persons arising out of the proposed blasting operation. Such policy of insurance shall indemnify the applicant, and such bond shall be conditioned upon payment by the applicant of all sums which the applicant shall become obligated to pay by reason of the liability imposed upon him by law, for damages because of bodily injury, including death at any time resulting therefrom, or for damages to property, or both, sustained by any person and arising out of the blasting operation.

Adopted: