

**CHARTER TOWNSHIP OF MILFORD  
ORDINANCE NO. 223  
BURN PERMIT AMENDMENT**

**AN ORDINANCE TO AMEND SECTION 16-85, BURN PERMITS, OF ARTICLE IV, BURNING, OF CHAPTER 16, FIRE PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCES FOR THE CHARTER TOWNSHIP OF MILFORD, IN ORDER TO MODIFY THE RENEWAL REQUIREMENTS FOR BURN PERMITS WITHIN THE TOWNSHIP.**

**THE CHARTER TOWNSHIP OF MILFORD ORDAINS:**

**Section 1.     Amendment.**

Section 16-85, Burn Permits, of Article IV, Burning, of Chapter 16, Fire Prevention and Protection, of the Code of Ordinances for the Charter Township of Milford, shall be amended to read as follows:

**Sec. 16-85.     Burn Permits.**

(a)     No person shall start or maintain any open burning covered under this section without a burning permit issued by the Milford Township Building Department. Unless a previous or pending violation has been issued, burn permits shall automatically renew on an annual basis.

(b)     A burn permit runs with the property, and is conditioned upon the conditions set forth in this ordinance. As long as the person responsible for the permit follows the Township's burning regulations, new property owners/occupants need not apply for new permits.

(c)     Any person responsible for burning brush, clean wood or other vegetative debris under Section 16-81 of this article shall obtain a burning permit before starting the fire. Burning permit fees may be established by the board of trustees for the Charter Township of Milford, and may be amended from time to time. If a fee has been established, it shall be paid prior to issuance of any burning permit.

(d)     A recreational fire does not require a permit provided that the fire complies with all other applicable provisions of this article. Any person lawfully burning a recreational fire without a permit must still contact the Milford Police Department on the day the burn is conducted in order to obtain weather clearance for the burn.

(e) When weather conditions warrant, the Milford Police Department, as instructed by the Milford Fire Department, may temporarily suspend the issuance of burning permits and may temporarily suspend previously issued burning permits for open burning.

(f) The holder of any burning permit shall be required to contact the Milford Police Department on the day the burn is conducted in order to obtain weather clearance for the burn.

(g) 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.

(h) 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.

**Section 2. Repealer.**

This Ordinance hereby repeals any ordinances in conflict herewith.

**Section 3. Savings Clause.**

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 4. Severability.**

The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**Section 5. Adoption.**

This Ordinance is hereby declared to have been adopted by the Charter Township of Milford Township Board at a meeting thereof duly called and held on the 17th day of May, 2017, and ordered to be given effect upon publication as mandated by Charter and statute.

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Donald Green, Township Supervisor

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Holly Brandt, CMC, Township Clerk

**CERTIFICATION OF CLERK**

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Charter Township of Milford Township Board on May 17, 2017 which was a regular meeting. I further certify that at said meeting there were present the following Board members: Donald Green, Supervisor; Holly Brandt, Clerk; Cynthia Dagenhardt, Treasurer; Trustees Randal Busick, William Mazzara, Dale Wiltse, Brien Worrell.

I further certify that the adoption of said Ordinance was moved by Trustee Worrell and supported by Trustee Wiltse.

I further certify that the following Board members Worrell, Wiltse, Green, Dagenhardt, Mazzara, Busick, Brandt voted for the adoption of said Ordinance and that the following Board members voted against the adoption of said Ordinance Zero (0).

I further certify that Board member(s) Zero (0) abstained from voting.

I hereby certify that said Ordinance has been recorded in the Ordinance Book in said Township and that such recording has been authorized by the signature of the Township Supervisor and Township Clerk.

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Holly Brandt, CMC, Township Clerk