



CITY OF NEW BALTIMORE FIRE DEPARTMENT  
36535 GREEN STREET – NEW BALTIMORE, MI 48047 – 586-725-0090 – FAX 586-716-9040

# RECREATIONAL FIRE PERMIT

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ NEW BALTIMORE, MI 48047

EFFECTIVE DATE THROUGH: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_ DATE ISSUED: \_\_\_\_\_

AMOUNT PAID: \_\_\_\_\_ \$25.00 \_\_\_\_\_ TYPE OF PAYMENT: \_\_\_\_\_

**\*ID required to receive permit, must get permit at City Offices**

**THE ANNUAL STICKER MUST BE DISPLAYED VISIBLY ON THE ADDRESS SIDE  
OF THE PROPERTY**

- Only seasoned fire wood shall be burned
- Fire is to be no larger than 3 foot square 2 foot high
- Fire must be under the direct supervision and control of a person of at least 18 years of age at all times
- Fire shall not be located within 25 feet of any structure, deck, combustible material or property line
- **The annual sticker must be at the above location during the bonfire** (*in accordance with Chapter 22, Article II. Open Burning Sec. 22-3*)

**APPLICANT STATEMENT:** I hereby acknowledge that, I have read this application, that the information given is correct, and that I am the owner, or duly authorized to act on the owner's behalf and as such hereby agree to and will comply with the above requirements. It is further understood that if there are any violations of this permit that I may be held responsible for any and all costs associated with a Fire Department response Art. V Div. 3 and or violations in accordance with the City of New Baltimore fine schedule Sec. 30-72. I further recognize that when a bonfire is burning extinguishing means should be readily available.

SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

**MOTION MADE BY: WEINREICH**

**MOTION SECONDED BY: DITTRICH**

**TO AMEND CITY OF NEW BALTIMORE CODE OF ORDINANCES BY AMENDING CHAPTER 22, ARTICLE II, OPEN BURNING, SECTION 22-32, PROVIDING FOR PERMITTED OPEN BURNING VIA RECREATIONAL FIRES, TO PROVIDE FOR RESTRICTIONS, PERMITS AND FEES, TO PROVIDE FOR PENALTIES, REPEALER, SEVERABILITY, AND EFFECTIVE DATE.**

**CITY OF NEW BALTIMORE  
MACOMB COUNTY, MICHIGAN  
ORDINANCE NO. 233**

**THE CITY OF NEW BALTIMORE ORDAINS:**

**Section 1. Preamble.** WHEREAS, in order to preserve, promote and protect public health, safety and welfare and to provide for permitted, regulated open burning in the City of New Baltimore, the City enacts the ordinance hereinafter.

**Section 2.** Chapter 22, Article II, Open Burning, Section 22-32, is hereby amended to provide as follows:

**Sec. 22-32. - Types Permitted; Restrictions; Permits; Fees.**

The following types of limited open burning shall be permitted within the City subject to the restrictions as set forth herein:

- (1) Outdoor Grills/Barbecues. Open burning within an outdoor grill or barbecue for the express limited purpose of food preparation. No permit required.
- (2) Recreational Fires. Recreational fires shall constitute outdoor fire burning materials, other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue pit, and has a total fuel area of three feet (3') or less in diameter and two feet (2') or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes. Recreational fires shall not be conducted within twenty-five feet (25') of a structural or combustible material. Conditions which could cause a fire to spread within twenty-five feet (25') of a structure shall be eliminated prior to ignition.
- (3) Portable Outdoor Fireplace. Open burning with a portable outdoor fireplace which shall constitute a portable outdoor, solid fuel burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open and designed, or may be equipped with a small hearth opening and short chimney, or opening in the top. Portable

outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within fifteen feet (15') of any structure or combustible material.

- (4) Fire Department. The open burning of structures and/or materials by the fire department, the fire chief, members of the fire department, and by trainees or other persons under the direct supervision and control of the fire department, the fire chief or members of the fire department when such open burning is for training, educational or instructional purposes related to fire safety, fire control, firefighting, lifesaving, and/or fire prevention.
- (5) Restrictions.
- a. Open burning, recreational fires, and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher, or other approved onsite fire extinguishing equipment, such as dirt, sand, water barrel, garden hose, or water truck shall be available for immediate utilization. All open burning shall be under the direct and constant supervision and control of a person at least eighteen (18) years of age.
  - b. Open burning permitted under this section shall not result in the emitting of burning sparks or burning embers upon adjoining, adjacent, neighboring or nearby properties or premises. All open burning permitted under this section shall be conducted and performed in such a manner so as not to endanger the health, safety or welfare of the public or to endanger public or private property.
- (6) Permits.

Recreational fires and the use of portable outdoor fireplaces shall be permitted only after application to the City for a permit, and after issuance of a valid permit by the City. The permit issued shall indicate the date and time when such recreational fire will be permitted, and the City may also provide for an annual permit to be issued to the applicant if requested. The City Council may establish by resolution the permit fee to be paid to the City for daily fire permits and annual fire permits, the permit fees to be paid to the City prior to the issuance of the permit.

**Section 3. Severability.** If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining provisions, it being the intent of the city that this ordinance shall be fully severable.

**Section 4. Repealer.** All ordinances or parts of ordinances in conflict herewith are repealed only to the extent to give this ordinance full force and affect.

**Section 5. Effective Date.** This ordinance being deemed an emergency ordinance shall be effective immediately upon adoption and publication due to the emergency nature of the same.

**THE CITY OF NEW BALTIMORE ORDAINS:**

AYES: Weinreich, Dittrich, Duffy, Covert, Szymanski

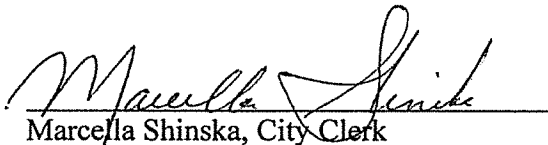
NAYS: Hayman

ABSENT: None

**ORDINANCE DECLARED ADOPTED.**

  
John Dupray, Mayor

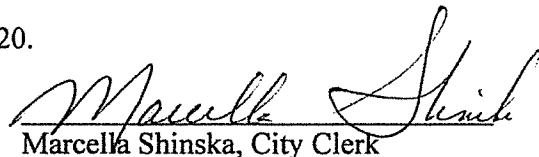
Attested:

  
Marcella Shinska, City Clerk

**CERTIFICATION**

I, Marcella Shinska, City Clerk for the City of New Baltimore, County of Macomb, State of Michigan, do hereby certify that Ordinance No. 233 was adopted by the City Council of New Baltimore, assembled in regular session on January 27, 2020. Said Ordinance was posted in the following places:

Notice of said posting was published in March, 2020.

  
Marcella Shinska, City Clerk

City Council Date: January 27, 2020

Publication Date: March 11, 2020

**CITY OF NEW BALTIMORE  
MACOMB COUNTY, MICHIGAN**

**SUMMARY OF ORDINANCE NO. 233  
AMENDMENT TO CHAPTER 22, ARTICLE II, OPEN BURNING**

The following is a summary of Ordinance No. 233, Chapter 22, Article II, Section 22-32, of the City of New Baltimore Code of Ordinances:

On January 27, 2020, the City of New Baltimore City Council adopted an ordinance to amend provisions applicable to open burning, including outdoor grills/barbecues, recreational fires, and the use of portable outdoor fireplaces, providing for restrictions thereto, providing for enforcement by the fire department, and providing for permits required for such burning.

A true copy of the Ordinance can be inspected, or obtained at the office of the City Clerk, City of New Baltimore, 36535 Green Street, New Baltimore, MI 48047.

Effective Date. This Ordinance amendment summarized above shall take effect 20 days following adoption, in the manner provided in the Michigan Zoning Enabling Act, Michigan Public Act 110 of 2006, as amended.

Marcella Shinska, Clerk  
City of New Baltimore

Publish: March 25, 2020