

ONTWA TOWNSHIP ORDINANCE NO. 2018-09-10.5

Adopted: September 10, 2018

Effective: October 14, 2018

**THE TOWNSHIP PROHIBITION ON CAMPFIRES/FIRES & GRILLING,
OR DUMPING OF FIRE DEBRIS IN/ON PUBLIC ROADS, OR RIGHTS OF
WAY**

An Ordinance to regulate the ignition of fires, (including campfires & grilling or cooking), or dumping of fire debris in or on public roads or rights of way locations in Ontwa Township, Cass County, Michigan; to provide penalties for the violation of this Ordinance. This Ordinance does not prevent the burning of leaves/vegetation as identified in the Ontwa Township Burn Ordinance or the Townships authorization of fireworks on specific days and times.

**THE TOWNSHIP OF ONTWA
CASS COUNTY, MICHIGAN
ORDAINS:**

SECTION I
TITLE

This Ordinance shall be known and cited as "The Township Prohibition on Campfires/fires, Grilling or Dumping of Fire Debris in/on Public Roads or Rights of Way".

SECTION II
DEFINITIONS

- A. "Fire, Campfires, Grills or Grilling" means the burning, of substances that combine chemically with oxygen from the air and ignite to create fire, heat or smoke. These include but are not limited to propane, charcoals, wood or wood chips, lighter fluid or other combustion generating material or action generating heat or flames. Grilling refers to or means any container, can, or other device that may be used to hold combustible material included but not limited to charcoal, wood, wood chips, pellets or other such materials for the purpose of setting a fire, cooking etc. In this context, it does not include the use of combustion engines or equipment or fireworks where legally established or authorized by the Township.
- B. "Public Roads/Rights of Way" means and includes public streets, parkways, sidewalks, or road rights of way, including a type of easement granted or reserved over the land for transportation purposes, including but not limited to a highway, footpath, bike and pedestrian walkway etc.
- C. "Person" means an individual, group of individuals, a family, couple, or firm, partnership, limited partnership, association, limited liability company, or corporation.

SECTION III
REGULATIONS

No person(s) shall light or ignite or cause a fire to be set for any purpose in/on or around the public roads or road rights of way, including on the public streets, sidewalks or bike and pedestrian walkways in Ontwa Township, Cass County Michigan.

SECTION IV
PENALTY

A person who violates this ordinance is guilty of a municipal civil infraction punishable by a fine not to exceed \$100.00.

Additionally, the violator shall pay all costs, which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

SECTION V
SEVERABILITY

Should any section, clause, paragraph, or provision of this Ordinance be declared by any Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so determined to be invalid.

SECTION VI
REPEAL

All Ordinances or parts of Ordinances in conflict here within are hereby repealed.

SECTION VII
EFFECTIVE DATE

This Ordinance shall take effect 30 days after its publication.

ADOPTED BY THE TOWNSHIP OF ONTWA BOARD ON THE 10th
DAY OF SEPTEMBER, 2018.

AYES: NAYS: ABSENT:

Date: September 10, 2018 Ontwa Township Supervisor: Jerry Marchetti

Date: September 10, 2018 Ontwa Township Clerk: Tina VanBelle