

BIG CREEK TOWNSHIP ORDINANCE NO. 8

Adopted by Township Board of the Township of Big Creek, Oscoda County, Michigan, on May 8, 1980.

SECTION 1. UNLAWFUL ACTS.

The Township Board for the Township of Big Creek, Oscoda County, Michigan, hereby ordains that it shall be unlawful for any agency of the United States Government, Michigan State Government, or any local government to set a controlled or prescribed burn within the boundaries of Big Creek Township without first obtaining a burning permit from the Big Creek Township Board.

SECTION 2. STANDARDS FOR DECISIONS ABOUT ALLOWABLE BURN DAYS.

It is further hereby ordained that no burning permit shall be issued on a hot, dry, windy day, when the common citizen is denied a burning permit from the U.S. Forest Service and the Department of Natural Resources.

SECTION 3. APPLICATION FOR A PERMIT.

Application for a permit to burn shall be made in writing to the Township Clerk. Before any burning permit shall be issued, a written plan listing the area to be burned, a fire-fighting plan, and a list of equipment to be made available in the event the fire does burn out of control must be submitted to the Township.

SECTION 4. RESPONSIBILITY FOR COSTS INCURRED IN PUTTING OUT A FIRE.

Be it further ordained that at any time if the U.S. Forest Service, the Michigan Department of Natural Resources, or any local government agency shall set a prescribed burn and allow it to burn out of control, then that agency shall be deemed responsible for any costs incurred by Big Creek Township in putting out the fire.

SECTION 5. FEES.

No fees shall be charged by Big Creek Township for obtaining a burning permit.

SECTION 6. VIOLATIONS AND PENALTIES.

Every person employed by a governmental agency who while on duty violates or refuses to comply with any section of this Ordinance shall be guilty of a misdemeanor. Upon conviction thereof, he shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment for not to exceed ninety (90) days, or both. Any governmental agency which violates or

refuses to comply with this Ordinance, or any section thereof, shall be guilty of a misdemeanor. Upon conviction thereof, the said agency shall be punished by a fine not to exceed five hundred dollars (\$500.00).

SECTION 7. SEVERABILITY.

If any action, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason 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 effect the validity of the remaining portion hereof.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon publication.

Kathi Mitchell

Township Clerk

Big Creek Township

By Authority of Township
Board.