

VILLAGE OF AKRON
OPEN BURN ORDINANCE
ORDINANCE NO. 1370

**AN ORDINANCE TO REGULATE OPEN BURN WITHIN THE VILLAGE OF
AKRON.**

**BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF
AKRON, MICHIGAN THAT:**

SECTION 1. PURPOSE

TO preserve and protect the public health, safety and general welfare of the citizens of the Village of Akron by prohibiting certain burning within the Village limits. Further to conform to the Michigan Department of Natural Resources rules and regulations.

SECTION 2. GENERAL:

1. **General;** A person shall not kindle or maintain or authorize to be kindled or maintained any open burn unless conducted and approved in accordance with this Ordinance.
2. **Prohibited Open Burn;** that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

SECTION 3. OPEN BURN:

No person shall cause or permit open burning of any of the following within the Village of Akron:

1. Refuse of any type
2. Garbage of any type
3. Any other waste or refuse which contains plastic, rubber, foam, chemically treated wood, textiles, electronics, chemicals, or hazardous materials.

SECTION 4. PERMIT REQUIRED

Permit required; A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildfire management practices, prevention or control of disease or pests.

Application for such approval shall only be presented by the permits to the owner of the land upon which the fire is to be kindled.

Authorization; where required by state, local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

Extinguishment authority; the fire code official is authorized to order the extinguishment by the permit holder, another person responsible for the fire department of open burning that creates or adds to a hazardous or objectionable situation.

Location; the location for open burning shall not be less than fifty (50) feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within fifty (50) feet (15,240 mm) of any structure.

A. Exceptions:

- I. Fires in approved containers that are not less than fifteen (15) feet (4572 mm) from a structure.
 - II. The minimum required distance from a structure shall be twenty-five (25) feet (7620 mm) where the pile size is three (3) feet (914 mm) or less in diameter and two (2) feet (610 mm) or less in height.
- B. **Bonfires:** a bonfire shall not be conducted within fifty (50) feet (15240 mm) of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions which cause a fire to spread within (50) feet (15,240 mm) of a structure shall be eliminated prior to ignition.
- C. **Recreational fires:** shall not be conducted within twenty-five (25) feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within twenty-five (25) feet (7620 mm) of a structure shall be eliminated prior to ignition.

SECTION 7. ATTENDANCE:

Open burning, bonfires or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire- extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

SECTION 8. EXCEPTIONS:

Exceptions to this Ordinance are the following:

A. Fire Training: For the purpose of fire prevention training and for the training of fire fighter's structures and/or other materials may be used or burned under the direct supervision of the Fire Chief.

B. Recreational Fires:

- a. Fires permitted for cooking and smoking of food providing that such fires are confined to a barbeque pit, smokehouse or other enclosure, and providing further that the emission of smoke and fumes do not irritate, annoy or constitutes a nuisance to others living in the Village.
- b. Bonfires or Recreational fires must not exceed five (5) feet in diameter and must be contained in a ring made of metal or brick or a metal enclosure designed for that purpose and be maintained by a person of mature age in attendance while the bonfire or recreational fire is burning.

SECTION 9. CRIMINAL PENALTIES:

Violations of this Ordinance is a local civil infraction with a civil fine of fifty (\$50) dollars for the first offense. On the second offense within one (1) year the civil fine is one hundred (\$100) dollars for each offense following.

SECTION 10. VALIDITY:

- A. All Ordinances or part of any Ordinance in conflict herewith are hereby repealed.
- B. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11. ORDINANCE IN FORCE:

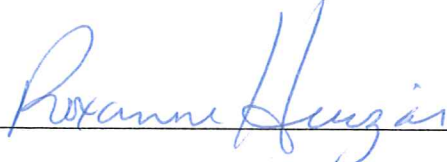
This Ordinance shall be in full force and effect from and after its passage and approval and publication by law.

This Ordinance enacted by the Village Council of the Village of Akron at a regular meeting held at the Council Chambers in said Village on 17 day of March, 2026.

Yeas: 5

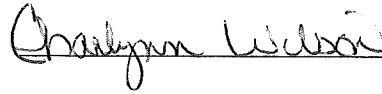
Nays: 0

Absent: 0



ROXANNE HUIZAR, VILLAGE PRESIDENT

I Charlynn Wilson, Clerk of the Village of Akron, do hereby certify that the above Ordinance is a true and correct copy of an Ordinance passed by the Village Council of the Village of Akron, Tuscola County, Michigan, at a regular meeting on 17 day of March, 2026.

A handwritten signature in cursive script, reading "Charlynn Wilson", written over a horizontal line.

CHARLYNN WILSON, VILLAGE CLERK