

**CITY OF MUSKEGON HEIGHTS
COUNTY OF MUSKEGON
STATE OF MICHIGAN**

**AN ORDINANCE TO REGULATE FIRE PROTECTION AND PREVENTION
IN THE CITY OF MUSKEGON HEIGHTS.**

Ordinance #19-632

THE CITY OF MUSKEGON HEIGHTS ORDAINS:

Section 1. Purpose

This ordinance is to regulate the standards of practice which the City of Muskegon Heights uses to in its fire protection and prevention.

Section 2. That Chapter 42 of "Fire Prevention and Protection" of the Muskegon Heights Code of Ordinances hereby amended as follows:

Article VII Bonfires, Recreational Fires, Receptacles

Sec. 42-68. – Bonfires and Recreational Fires.

No person shall kindle or maintain any bonfire or recreational fire in the city without first obtaining a permit therefor. Such permit may be issued by the fire chief only after an inspection of the site by the fire chief or his authorized representative. Bonfires and recreational fires are subject to the following conditions, in addition to other provisions of this article and the International Fire Code, as adopted in sec 42-26

- (1) Authority of fire chief. The fire chief may prohibit any and all open burning when atmospheric conditions or circumstances make such fire hazardous or when, in the opinion of the fire chief, such burning would constitute a fire hazard or will endanger the life or property of any person.**
- (2) Administrative regulations. The fire department may promulgate reasonable rules and regulations for the standards and requirements for the issuance of all permits under this section.**

Sec. 42-69. - General safety regulations.

- (1) No person shall deposit hot ashes, cinders or smoldering coals, or greasy or oily substances liable to spontaneous ignition, into any combustible receptacle, or place such substances within ten feet of any combustible materials, except in a metal or other noncombustible**

covered receptacle. Such receptacle, unless resting on a noncombustible floor or on the ground outside a building, shall be placed on a noncombustible stand, and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening.

- (2) No person shall throw down or drop any lighted match, cigar, cigarette, or other burning substance on combustible material or in close proximity thereto.
- (3) All fires, of whatever nature, permitted under this article shall take place only during hours approved by the fire chief. (d) All open fires and outdoor fireplaces shall be constantly attended by a competent person of 18 years or older and shall be completely extinguished before being left alone.

Sec. 42-70. - Penalties; correction of violations.

- (1) Whoever violates or fails to comply with any of the provisions of this article, or any rule or regulation adopted or issued pursuant to this article, shall be punished as provided in section 1-13(b), or shall reimburse the city for the reasonable costs of control, investigation and/or suppression of illegal fires, or shall be subject to all the penalties mentioned in this subsection.
- (2) The imposition of one penalty for a violation of or noncompliance with any of the provisions of this article shall not excuse the violation or noncompliance or permit it to continue, and whoever so violates or fails to comply is required to correct or remedy the violation or noncompliance within a reasonable time. When not otherwise specified, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 3. Severability

Should any section, clause or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity if the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. Conflicting Provisions.

All ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed upon the effective date of this Ordinance.

Section 5. Effective Date.

This Ordinance shall be effective ten (10) days after publication.



Sharon Gibbs

City of Muskegon Heights Clerk

Introduced: February 4, 2019

Adopted: February 11, 2019

Published: February 22, 2019

Effective: March 2, 2019