

**TOWNSHIP OF LAPEER
LAPEER COUNTY, MICHIGAN
FIRE PROTECON ORDINANCE**

Ordinance No. 14

An ordinance to protect the public health, safety, and welfare by providing for the regulation and control of fires which may threaten life and property; to require a permit for open fires; to assess the cost of a fire run to persons who allow fires to bum out of control; to prohibit the turning in of a fals€ fire alarm without giving prior notice to the fire department receiving the alarm; to assess the cost of a fire run to persons turning in a false fire alarm without giving prior notice to the fire department receiving the alarm; to authorize the township board to collect the cost of a fire run from the owners of property protected by the fire run; and to establish misdemeanor penalties for ordinance violations.

THE TOWNSHIP OF LAPEER ORDAINS:

ARTICLE I

Fire Permits and Liability

- Section 1.01. No fire shall be set outside of an enclosed burner unless the person setting the fire has obtained an open burning permit from the township.
- Section 1.02. Persons seeking an open burning permit shall apply to the officer designated by the township board.
- Section 1.03. The application shall contain the name and address of the applicant, the site where the fire is to be set, the approximate time at which the fire is to be set, and a statement that the applicant assumes responsibility for keeping the fire under control.
- Section 1.04. Permits shall be valid for a maximum period of 72 hours.

Section 1.05. Any person who sets a fire which burns out of control or any person who sets a fire without a permit shall be liable for the cost of any fire run made to the fire.

ARTICLE II

False Alarms and Liability

Section 2.01. No person shall cause a fire alarm to be turned in unless he has good cause to believe a fire actually exists or unless he has notified the fire department that a fire alarm will be turned in pursuant to testing, repairing, or otherwise working on a fire alarm system.

Section 2.02. Any person who has a fire alarm system on his premises shall maintain such alarm system so that no false alarms are inadvertently transmitted to the fire department from such fire alarm system.

Sections 2.03. Any person who in violation of Section 2.01 turns in a false fire alarm or who in violation of Section 2.02 fails to maintain his fire alarm system so as to prevent false alarms, shall be liable for the cost of any fire run made pursuant to the false alarm.

ARTICLE III

Liability for Property Protection

Section 3.01. The owners of real or personal property which the township attempts to protect on a fire run shall be liable for the cost of that fire run.

ARTICLE IV

Liability for Fire Department Assistance at Highway Accidents

Section 4.01. Persons driving vehicles which are involved in highway accidents shall be liable for the cost of any assistance rendered at the accident scene by the fire department.

ARTICLE V

Penalty

Section 5.01. Violation of this Ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not to exceed five hundred dollars (\$500) and/or by imprisonment not to exceed thirty (30) days.

ARTICLE VI

Severability

Section 6.01. This Ordinance and the various articles, sections paragraphs, and clauses thereof, are hereby declared to be severable, if any article, section, paragraph, or clause is adjudged unconstitutional or invalid the remainder of the Ordinance shall not be affected thereby.

ARTICLE VII

Repeal of Prior Ordinance

Section 7.01. The Lapeer Township Fire Control Ordinance adopted on July 6 1967 is hereby repealed.

ARTICLE VIII

Enactment and Effective Date

Section 8.01. This Ordinance adopted by the Township Board of the Township of Lapeer, Lapeer County, Michigan at a meeting duly called and held on the 19th day of January, 1978 and is ordered to be given publication in the manner prescribed by law. This Ordinance shall take effect thirty (30) days following publication thereof.

Effective Date: February 24, 1978

Milton Belz, Supervisor

Ila M. Burris, Clerk