

## DEWITT CHARTER TOWNSHIP

### PUBLIC SAFETY COMMITTEE MEETING, May 11, 2017

#### Minutes

Vice Chair Bonnie Oetman called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited.

#### Roll Call

Present: Bonnie Oetman, Mary Buzzie  
Absent: Joe Galardi, Thomas Hendrickson, Trustee David Seeger  
Also Present: Dave DeKorte, Fire Marshal and Interim Fire Chief

#### Agenda and Public Comments

To assist Interim Chief DeKorte with revisions to the DeWitt Charter Township Burning Ordinance, and to allow public comment regarding issues related to burning in Looking Glass Pines Subdivision.

Interim Chief Dave DeKorte provided a summary of the Township and Committee's 2016 review of the Township Burning Ordinance and specifically his goal to streamline the burning permit process, provide an online form, and to eliminate Township overload for permits that currently expire every other year. In summary, the Ordinance revision would eliminate:

- 1) Permit expiration date
- 2) Calling office to activate;
- 3) Active permit three-day period.

Interim Chief hopes to have the ordinance revisions complete and in effect prior to the beginning of the open burning season (October 1).

#### Public Comments Regarding Looking Glass Pines ("the Pines")

A burning complaint in the Pines was reported to the Interim Chief that leaves were being burned in a recreational burning pit. On May 3, an inquiry was made regarding a resident who put a hot dog on a stick while burning leaves.

#### The Pines Background on Burning Limitation and Introductory Comments

In 1990 discussion was held regarding burning in the Pines with the presence of new trees. A determination was made that no "open burning" would be allowed, but that term was not defined and was not the same as that outlined in the International Fire Code, and there is no record of the ordinance being "formally" adopted. In 2014, then-Chief Koos reminded Pines residents of the ban on open burning.

Interim Chief DeKorte stated that the Township does not regulate "recreational burning" (grills, fryers, campfires, out by 2:00 a.m., constantly attended, and with winds under 10 mph). He further stated that a DNR representative recently looked at the Pines and was of the opinion that the tree needles and soil are moist, that recreational fires in the Pines are not a danger. Interim Chief DeKorte stated that open

burning still would not under any circumstance be allowed. He stated that the Township Board is the ultimate authority in the final revisions to the Burning Ordinance, but explained that he is seeking input from the Committee and the community regarding ordinances changes.

He also stated that burning barrels are no longer allowed in the Township; 20-25 remain, but, when the property owners of those barrels pass away, use of the burning barrel will not be allowed to continue.

Additional burning restrictions relate to mobile home parks and apartments (no recreational or other burning allowed), and owners of parcels of land 2 acres or more in the Agricultural District can burn year round. The issue was then opened for discussion.

#### Resident Discussion

A resident concern was raised regarding recreational burning in dry conditions. The Interim Chief addressed the issue, stating that at times fires (and fireworks) have been temporarily banned due to atmospheric conditions.

A resident sought clarification on the structural requirements for a recreational pit, specifically whether a screen or lid is required. Interim Chief responded that the definitions do not require a screen, that the pit can have a fuel area no greater than three feet in diameter, with a maximum height of two feet. He also clarified that a “bonfire” falls into the open burning category, and must be at least 50 feet away from any structure. (Resident Dave Rowen?)

Resident Veronica Taber asked what changes the Interim Chief is looking to implement.

Interim Chief DeKorte stated that open burning will be allowed from October 1 to April 30. He wishes to:

- 1) Eliminate the call activation requirement;
- 2) Eliminate the 3 day burn limitation;
- 3) Require that the person requesting a permit must be the property owner and that the permit will expire when the property is sold;
- 4) No permit requirement for recreational burning;
- 5) Evaluate The Pines “neighborhood ordinance” to ensure it complies with the International Fire Code, but keep the requirement that no open burning be allowed in the Pines.

Resident Dave Atherson asked for clarification that the three day activation and call ahead requirements will be moot and that no permit is required for recreational burning.

Interim Chief DeKorte stated that the Pines is in the R-6 residential district (more dense), that the density of the trees and the 1990 ordinances will continue to preclude open burning in the Pines. He also stated that an open burning ban may also be considered for newer subdivisions in the R-6 residential districts.

Karen Stock stated that there is no “direct comparable” subdivision in the Township to the amount of trees in the Pines.

A resident indicated he witnessed a neighbor bringing items in to be burned. Interim Chief DeKorte suggested that any resident who witnessed this activity should contact the Fire Department to come out and investigate.

Discussion was held regarding concerns over a large open burn across from Padgett Park.

A question was asked regarding how many issues of fire spreading have been reported in open burning? Interim Chief DeKorte stated that none have been reported in the Pines, but that the Township receives calls on approximately three to six per year, when the wind will recommend that the open burn ban will stay in place in the Pines.

A question was asked regarding limitations on cooking fires; Interim Chief stated there are none, except that there can be no burning of leaves.

A resident inquired as to whether there is a rule regarding recreational burning under a canopy of trees and, if yes, whether there is a height limit.

Interim Chief DeKorte stated that recreational fires should not be near trees.

A resident asked about smokers and grills; Interim Chief DeKorte stated that the Township does not regulate these items, except in an apartment complex. The only apartment complex in which grills are allowed is the Quarry, because they have on-deck sprinklers.

Bill Buck – suggested creation of a web page, possibly with photo examples of limb height [additional commentary not recorded].

Interim Chief DeKorte indicated that the Township's Facebook page is also accessible to the Fire Department and the Police Department, and that he hopes to post information there.

Dave Ackerly and Sam Oberman – asked the anticipated date of when the Township will have something in writing regarding ordinance revisions and whether a working draft will be posted for review.

Interim Chief DeKorte stated the ordinance will be posted for review prior to adoption. He hopes to have something within the next couple of months, and certainly by October 1, which marks the beginning of the new open burning season.

Resident question regarding fee changes was addressed by Interim Chief. There are no fees, and none are proposed at this time.

Gary Davids inquired as to what happens in an open burning abuse situation. Interim Chief DeKorte stated that the permit is pulled and a ticket is issued.

A question was asked regarding demonstration of insurance as a requirement prior to permit issue.

Clarification once again sought regarding elimination of fire screens for recreational burn. Interim Chief DeKorte stated he would make that recommendation, as long as the rules are followed.

Vice Chair Oetman thanked the residents for taking the time to provide their input.

Adjournment, 7:52 p.m.