

SENATE BILL No. 1040

December 18, 2009, Introduced by Senators VAN WOERKOM, JANSEN and JELINEK and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 11522 (MCL 324.11522).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11522. (1) ~~Beginning on March 28, 1995, the~~ **THE** open
2 burning of grass clippings or leaves, or both, is prohibited in any
3 municipality having a population of 7,500 or more, unless
4 specifically authorized by local ordinance, which ordinance shall
5 be reported to the department ~~of natural resources~~ within 30 days
6 ~~of~~ **AFTER** enactment.

7 (2) This section does not allow a county or municipality to
8 permit open burning of grass clippings or leaves, or both, by an
9 ordinance that would otherwise be prohibited under part 55 or rules

1 promulgated under that part.

2 (3) THIS PART, PART 55, AND RULES PROMULGATED UNDER THIS PART
3 OR PART 55 SHALL NOT BE CONSTRUED TO PROHIBIT THE OPEN BURNING OF
4 BINS FOR APPLES IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

5 (A) THE APPLE BINS ARE CONSTRUCTED OF UNTREATED LUMBER.

6 (B) THE OPEN BURNING DOES NOT CREATE A NUISANCE.

7 (C) THE OPEN BURNING OCCURS IN THE UNINCORPORATED AREA OF A
8 TOWNSHIP.

9 (4) SUBSECTION (3) DOES NOT EXEMPT THE OPEN BURNING OF APPLE
10 BINS FROM THE REQUIREMENTS OF PART 515.