

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #02-2014

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES; AMENDING CHAPTER 52, ZONING, ARTICLE VI, SUPPLEMENTAL REGULATIONS, BY THE REPEAL AND READOPTIONION OF SECTION 52-907 TO REGULATE THE STORAGE OF FIREWOOD, COAL AND OTHER COMBUSTIBLE MATERIALS IN CERTAIN DISTRICTS.

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

Chapter 52, Zoning
Article VI, Supplemental Regulations

Section 52-907 is hereby repealed and readopted to hereafter read as follows:

Sec. 52-907. – Storage of firewood, coal and other combustible materials in certain districts.

No firewood, coal, or other combustible material shall be stored in R-1A, R-1B, R-2, RM, or RMA district and all commercial and industrial districts located within 250 feet of a residential district, except when stored no less than six inches above the ground.

- (a) Storage of firewood for domestic use on any premises shall be prohibited subject to the following exceptions:
 - (1) Only two (2) cords of wood shall be allowed on the property. A cord shall be defined as a stack of wood measuring eight (8) feet in length, stacked four (4) feet high and four (4) feet wide.
 - (2) The wood shall not be stacked higher than four (4) feet nor extend more than sixteen (16) feet in length. Side by side stacking of the cords shall be allowed.
 - (3) The wood shall not be stacked to the rear of the house and not on or within six (6) feet of any property line, unless the abutting owner and/or occupant agrees in writing.
 - (4) No wood shall be stacked directly on the ground. All wood shall be elevated above the ground at least six (6) inches

- (b) A person who violates this section shall be guilty of a civil infraction as follows:
 - (1) For the first violation, a fine of not more than \$50.00 plus court costs.
 - (2) For a second violation, a fine of not more than \$100.00 plus court costs.

(3) For a third or subsequent violation, a fine of not more than \$300.00 plus court costs.

(c) As used in this section "firewood" means any and all wood, logs, sticks, twigs, branches, stumps and stakes, and includes wood items of every kind and description used for fireplaces or wood burning stoves.

(d) The code enforcement officer for the city may act to enforce the provisions of this section along with any other law enforcement officer of the city.

SECTION 2. Repeal. All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character by lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 23rd day of September, 2014.

WILLIAM MATAKAS, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park