

**CHARTER TOWNSHIP OF TEXAS
COUNTY OF KALAMAZOO**

ORDINANCE NO. 376

**AN ORDINANCE AMENDING SECTION 12-103 OF THE TOWNSHIP CODE
REGARDING OPEN BURNING IN COLONY WOODS**

THE CHARTER TOWNSHIP OF TEXAS ORDAINS:

Section 1. PURPOSE.

The purpose of this Ordinance is to permit the residents of Colony Woods to temporarily conduct open burning to aid in the recovery and cleanup efforts following severe weather, including a tornadic event that struck the Township on May 7, 2024.

Section 2. AMENDMENT TO SECTION 12-103 OF THE CODE OF ORDINANCES.

Section 12-103(e)(1) of the Code of Ordinances is hereby amended to read as follows:

- (1) Notwithstanding the foregoing, no open burning as defined in this ordinance shall be conducted within the boundaries of the following plats in the Township after September 30, 2024:

The plat of Colony Woods Estates

The plat of Colony Woods Estates No. 2

The plat of Colony Woods Estates No. 3

The plat of Colony Woods Estates No. 4.

The plat of Colony Woods Estates No. 5

The plat of Colony Woods Estates No. 6

The plat of Colony Woods Estates No. 7

The plat of Colony Woods Estates No. 8

The plat of Colony Woods Estates No. 9

The plat of Colony Park Estates No. 1

The plat of Colony Pointe West No. 1

The plat of Colony Pointe West No. 2

Section 3. ADDITION OF NEW SUBSECTION TO SECTION 12-103 OF THE CODE OF ORDINANCES.

Section 12-103(e) of the Code of Ordinances is hereby amended to add a new subsection (2) and renumber the existing subsections accordingly. New Section 12-103(e)(2) shall read as follows:

- (2) The Colony Wood plats described Section 12-103(e)(1), until September 30, 2024, may conduct open burning subject to the following requirements:
- a. Wood being burned must be no larger than 18 inches in diameter.
 - b. Fire pits must be no larger than 5 feet in diameter.
 - c. Wood piles must be no taller than 3 feet.
 - d. The following materials may be burned: brush, tree material, leaves, untreated wood, and stumps.
 - e. The following material shall not be burned: construction and building materials, grass clippings, garbage, paper products, chemically treated lumber, and plastic or rubber products.
 - f. A resident of Colony Woods shall submit a form prior to any open burning. The form will be made available by the Township Board and shall require residents to provide their name, address, phone number, the materials they will be burning, and any other information the Township Board deems necessary.
 - g. Any opening burning in Colony Woods must adhere to Sections 12-103(a), (d)–(h).

Section 4. SEVERABILITY.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 5. REPEALER.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 6. EFFECTIVE DATE.

This Ordinance takes effect immediately upon publication.

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