

ORDINANCE NO: 2010-03

**AN ORDINANCE TO PROHIBIT THE CONSTRUCTION, USE, OR
OPERATION OF OUTDOOR FURNACES WITHIN THE VILLAGE OF
ASHLEY**

The Village of Ashley Ordains:

- Section 1: Definition. "Outdoor furnace" means any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuels to produce heat or energy used as a component of the heating system providing heat for an interior space or water source.
- Section 2: Prohibition. The construction, use or operation of an outdoor furnace within the Village of Ashley is prohibited.
- Section 3: Violation. Any person who shall violate the provisions of this ordinance shall be deemed to be responsible for a civil infraction. Each day that such violation continues shall constitute a separate civil infraction. A person found responsible shall be subject to a civil fine in the amount of \$100.00 for the first offense; \$150.00 for the second offense; and \$250.00 for each subsequent offense.
- Section 4: Separability. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5: Ordinances Repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 4: Effective Date. This ordinance shall take effect and be in force fifteen days from and after its enactment as provided by the Village council.

Passed and approved by the Village Council of the Village of Ashley, Gratiot County, Michigan, in regular session, held September 14, 2010.

We, the undersigned President and Clerk of the Village of Ashley, Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance # 2010-03 of the Village of Ashley, Michigan was adopted at a regular meeting of the Village Council, held on September 14, 2010 and published in a newspaper circulated within the Village on September 19, 2010 not less than fifteen days having elapsed between adoption and publication.

Dated at Ashley, Michigan, this 14th day of September, 2010.

Steve Moffit, Village President

Shelly Moffit, Village Clerk