

**CITY OF ST. JOHNS
CLINTON COUNTY, MICHIGAN
ORDINANCE NO. 703**

AN ORDINANCE TO AMEND TITLE IX, CHAPTER 91: FIRE PREVENTION OF THE CITY OF ST. JOHNS CODE OF ORDINANCES AND TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES FROM CONDITIONS HAZARDOUS TO THE LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF ST. JOHNS: TO AMEND CERTAIN PROVISIONS THEREOF CONCERNING PERMITS; TO ESTABLISH PENALTIES FOR THE VIOLATION OF THE ORDINANCE; TO ADD DEFINITIONS; TO PROHIBIT OPEN BURNING; TO PROHIBIT INDOOR INCINERATORS; TO ADOPT A SAVINGS PROVISION; TO REPEAL ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

THE CITY OF ST. JOHNS, CLINTON COUNTY, MICHIGAN, ORDAINS:

Section 1. Amendment to Title IX: General Regulations, Chapter 91: Fire Prevention, §91.01.
Chapter 91, §91.01 of the City Code is amended in its entirety to read as follows:

§91.01 - Adoption of the International Fire Code.

(A) The *International Fire Code*, 2021 edition, including Appendix Chapters A, B, C, D, and I (see *International Fire Code* Section 101.2.1, 2021 edition), as published by the International Code Council, is hereby adopted as the Fire Code of the City of St. Johns in the State of Michigan for the purpose of:

(1) prescribing regulations governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; and

(2) providing for the issuance of permits and collection of fees therefor.

(B) A complete copy of the Fire Code is available for public use and inspection in the Office of the City Clerk.

(C) From the date on which the ordinance is set forth in this section shall take effect, the provisions of the Fire Code shall be controlling within the limits of the City.

Each and all of the regulations, provisions, penalties, conditions, and terms of said Fire Code on file in the Office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, set forth herein.

Section 2. Amendment to Title IX: General Regulations, Chapter 91: Fire Prevention, §91.05.
Chapter 91, §91.05 of the City Code is amended in its entirety to read as follows:

§91.05 – Changes in Code.

The following articles, sections and subsections of the Fire Code herein adopted are amended or deleted as set forth and additional sections and subsections are added as indicated. Subsequent section numbers used in this chapter shall refer to the like numbered sections of the Fire Code.

(A) Section 101.1 “TITLE.” Amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of St. Johns, hereinafter referred to as “this code.”

(B) Section 103.1, “CREATION OF AGENCY.” Amended to read as follows:

103.1 Creation of agency. The City of St. Johns Fire Department is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

(C) Section 105.1.1, “PERMITS REQUIRED.” Amended to read as follows:

105.1.1 Permits Required. Permits required by this Code shall be obtained from the Fire Code Official. Permit and inspection fees, in an amount which shall be established from time to time by Resolution of the City of St. Johns Board of trustees shall be paid prior to the issuance of the permit. Issued Permits shall be kept on the premise designated therein at all times and shall be readily available for inspection by The Fire Code Official.

(D) Section 112, “VIOLATIONS.” Amended to read as follows:

112.4 Violation Penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official or of a permit or certificate issued under provisions of this Code shall be responsible for a civil infraction, punishable by a fine not less than Fifty and no/100 Dollars (\$50.00) or greater than Five Hundred and no/100 Dollars (\$500.00) as listed in the Fee and Rate Schedule: or, in the alternative, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment not exceeding ninety-three (93) days or both such fine and

imprisonment. Each day the violation continues shall be deemed a separate offense. In addition, fire response costs incurred by the City of St. Johns shall be paid to the City of St. Johns Pursuant to the provisions of MCL 41.806a.

(E) Section 112.4.1, “ABATEMENT OF VIOLATION.” Amended to read as follows:

112.4.1 Abatement of Violations. In addition to the imposition of the penalties herein described, the Fire Code Official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure or about any premise.

(F) Section 112.4.2, “OTHER REMEDIES.” Amended to read as follows:

112.4.2 Other Remedies. In addition to any other remedies available at law, the township may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of this Ordinance.

(G) Section 302.1, “DEFINITIONS.” Amended, in part, to read as follows:

302.1 Definitions.

Permit shall mean the authorization granted by the Fire Chief, his/her designee, or the Fire Code Official pursuant to the criteria established in this Ordinance, including, but not limited to, weather conditions, and any other basis relative to health, safety and welfare of Township residents.

Recreational Fire shall mean an outdoor fire burning only seasoned firewood, where the fuel being burned is not contained to an incinerator, outdoor fireplace, barbecue grill or barbeque put and has a total fuel area of 3 feet (914mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Training Burn shall mean any fire set by the Fire Chief, or his/her designee, for the purpose of training a member of the Fire Department in techniques of fire control, management, or prevention.

(H)Section 307, “OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES.” Amended, in part, to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning at any time within the city limits.

307.2 *Permits*. No permits shall be issued for open burning.

307.2.1 *Authorization*. Open burning shall not be authorized at any time.

307.4 *Recreational Fires*. Recreational fires shall not be conducted within twenty-five (25) feet of a structure or a combustible material unless the fire is contained in a barbeque pit. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition. Recreational fires that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

307.5 *Attendance*. Open burning, bonfires or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher complying with Section 906, with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose, or water truck, shall be available for immediate utilization.

(I) Section 605.8.1, “RESIDENTIAL INCINERATORS.” Amended to read as follows:

605.8.1 *Residential Incinerators*. Residential Incinerators are prohibited.

Section 3. Repealer Clause

All 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 4. Savings Clause

This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order, or parts hereof, hereby repealed, and this Ordinance shall in no manner affect any rights, claims, privileges, immunities, or causes of action of the City, or other person, either criminal or civil, that may have already occurred, accrued, or grown out of any Ordinance, Resolution, Order, or policy, or any part thereof, hereby repealed.

Section 5. Validity and Severability

Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 6. Effective Date

This Ordinance shall be effective twenty (20) days from and after its adoption by the City of St. Johns City Commission and after its publication.

YEAS: Eric Hufnagel, Brad Gurski, Scott Dzurka, Chris Hyzer, Chris DeLiso

NAYS: None

ABSTAIN: None

ABSENT: None

CERTIFICATION

As the City Clerk of the City of St. Johns, Clinton County, Michigan, I certify that this is a true and complete copy of an ordinance adopted by the St. Johns City Commission at a regular meeting held on December 8, 2025.

Scott Dzurka, Mayor

Mindy J. Seavey, Clerk

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