

COPY

RESOLUTION NO. 2002:05:06:1 A

**AN AMENDED RESOLUTION REQUIRING PERMIT FOR BURNING IN
ANDERSON COUNTY, KANSAS**

WHEREAS, the Board of County Commissioners of Anderson County, Kansas desires to help to protect against damage by fire to property in Anderson County, Kansas; and,

WHEREAS, the Board of County Commissioners of Anderson County, Kansas is granted authority under K.S.A. 19-101 *et seq.* to help provide for the protection and promotion of the public health and welfare of Anderson County, Kansas; and,

WHEREAS, the Board of County Commissioners of Anderson County, Kansas, deems it advisable to establish a requirement for Permits for Open Burning.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF ANDERSON COUNTY, KANSAS, AS FOLLOWS:**

1. That prior to any open burning in Anderson County, Kansas, the landowner, or person doing the burning, shall notify the Anderson County Dispatch Center of the proposed burn. Such notice shall include the following information:

- a) The name of the person responsible for the proposed burn.
- b) The location of the proposed burn by address under the County Road System.
- c) The total area proposed to be burned.
- d) The expected duration of the proposed burn.
- e) Any sections of road adjacent to the proposed burn.

2. All proposed burns shall require such notice to be given except the following:

- a) Open burning carried out on a residential premises containing 5 or less dwelling units and incidental to the normal habitation of the dwelling units.
- b) Open burning for cooking or ceremonial purposes on public or private lands regularly used for recreational purposes.
- c) Open burning approved by the Anderson County Rural Fire Department for training purposes, or other open burning arranged in advance with the Anderson County Rural Fire Department.

3. Burning shall be allowed so long as the Kansas Department of Health and Environment regulations permit the same and so long as a burn ban has not been issued by the Board of County Commissioners of Anderson County, Kansas.

4. This resolution shall be applicable to all areas of Anderson County other than within the

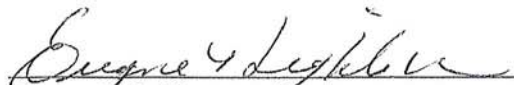
City Limits of the City of Garnett, Kansas.

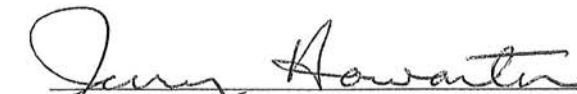
5. That any person who violates the provisions of the Resolution shall be Guilty of a Class A Misdemeanor punishable by a fine not to exceed \$2,500.00 or one year in the County Jail or both. For purposes of this Resolution, each tract affected may be treated as a separate offense. Further, any person convicted of violation of this Resolution may be assessed the reasonable costs of The Anderson County Rural Fire Department or any other governmental entity that responds or is called to said improper open burning.

6. This Resolution amends a prior Resolution.

7. That this Resolution shall be effective from and after its approval by the Board of County Commissioners of Anderson County, Kansas and its publication one (1) time in the Official County Newspaper.

Dated this 7th day of October, 2013.


Eugene Highberger, Chairman


Jerry Howarter, Commissioner

James K. Johnson, Commissioner



ATTEST:



Phyllis Gettler, County Clerk