

BEFORE THE BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, KANSAS

RESOLUTION NO. 2015-07

WHEREAS, the Board of County Commissioners of Clay County, Kansas, by the powers vested in it by K.S.A. 19-101(a) may perform powers of local legislation, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, KANSAS, that:

No person shall cause or permit the open burning of any burning of any material except as provided in Kansas Administrative Regulation 28-19-645, et seq. and subject to the following:


1. Any individual who intends to conduct any open burning of any material(s) except as Provided in 28-19-645, et seq. shall first be required to obtain a permit from Clay County. The permitting process shall consist of obtaining a permit number (also referred to as a case number) from the Clay County Law Enforcement Center prior to conducting any burn. The permitting process can be done by telephone contact and no written permit is required.
2. The person requesting to conduct said burn must contact the Clay County Law Enforcement Center at 785-632-5601 and provide the following information:
 - A. Name, address and phone number of person responsible for burn.
 - B. Exact location of intended open burning operation
 - C. Type of material being burned.
 - D. Time of burning operation. Requestor must call in prior to starting the fire.
3. The responsible person shall remain in continuous attendance with the burning operation and with the ability to extinguish the fire and report its status if necessary to the Clay County Law Enforcement Center.
4. No burning shall take place within 150 feet of any structure, oil tank or vehicle(s).
5. Burning shall not be initiated after sunset or before sunrise unless conducted for agriculture or crop rotation purposes.
6. Burning shall not be allowed or conducted during any times when dry conditions are prevalent to a level such that initiating any burning operations would be considered hazardous and dangerous to the surroundings or when conditions on the National Weather Service Rangeland Fire Index are in place. The Fire Chief of the jurisdiction for where the fire

will be located shall have and retain the authority to instruct communications personnel to refrain from issuance of any burning permits should the above exist within their respective district, whereby preventing burning in the respective fire jurisdiction. The Fire Chief shall also have the authority to reinstate burning operations in the same manner by contacting the Law Enforcement Center authorizing such.

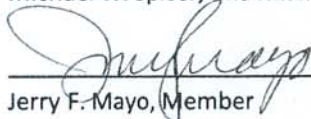
A violation of this resolution shall be a Class B misdemeanor with a fine not to exceed \$1,000 and/or up to six (6) months incarceration in the county jail. Prosecution shall be in the District Court of Clay County, Kansas, as authorized by K.S.A. 19-101d and amendments thereto. Further, any person starting said fire without complying with the above may be ordered to make restitution for any damages done including fire department fees and expenses.

BE IT FURTHER RESOLVED that this Resolution shall be published once in the official county newspaper, and take effect after said publication.

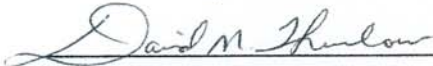
Adopted by the Board of County Commissioners, Clay County, Kansas this 16th day of March, 2015.



Michael W. Spicer, Chairman



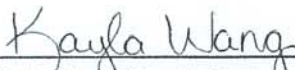
Jerry F. Mayo, Member



David M. Thurlow, Member

BOARD OF COUNTY COMMISSIONERS OF
CLAY COUNTY, KANSAS

ATTEST:



Kayla Wang, County Clerk

