

Amendment #1 to Resolution No. 17-2237

A Modification to the Restrictions and Rules on Open Burning

Resolutions No. 17-2237 was enacted and passed by the commission in 2017. This Resolution outlines the rules and regulations for open burns in Saline County. The amendment to the Resolution was created to better serve the citizens of Saline County and the Rural Fire Districts.

RULES FOR BURNING – GENERAL RULES FOR ALL OPEN BURNING OPERATIONS

1. Before burning, anyone conducting open burning operations, including household trash, must obtain a permit to conduct open burning operations exempt by K.A.R. 28-19-647 and K.A.R. 28-19-648. The Rural Fire Chief having jurisdiction and/or the Saline County Emergency Management office and/or via online burn permit application through the Saline County website www.saline.org can issue permits.
2. Burn permits in Saline County shall be valid for the lifetime of the permit holder unless otherwise suspended or revoked by Saline County Emergency Management or the Rural Fire Chief having jurisdiction. Emergency Management will conduct periodic reviews of all permit holders to ensure current contact information.
3. The Permittee or their designee shall call the Saline County Emergency Management Office at 785-826-6511 or the Law Enforcement Communications Center at 785-826-7210 no more than 1 hour before commencing the burn. Either agency will record the following information:
 - a. Burn Permit number;
 - b. Exact location by address or closest intersection of intended burning operation;
 - c. Type of material being burned;
 - d. Wind speed and direction at the time of the call; and
 - e. The emergency telephone contact number of the person conducting the burn.
 - f. Do you have adequate water on hand – yes or no?
4. Permit holders burning household trash are exempt from calling before the burn but must adhere to the rules outlined in this Resolution.
5. The person named on the burn permit is the responsible person. The responsible person may name a designee 18 years of age or older and has written permission to oversee the burn. The registrant or the designee shall remain in continuous attendance with the burning operation and maintain the ability to control the fire and report its status, if necessary. Failure to assure attendance and supervision of the burn is a violation of this Resolution by the registrant.
6. Weather:
 - a. Wind speed shall not exceed 15 miles per hour as defined by K.A.R. 28-19-647(5), and
 - b. Grassland Fire Danger Index issued by the National Weather Service Forecast Office out of Wichita, Kansas, shall not be in the Very High category.
 - c. The only burning that shall take place 24 hours before a Very High Grassland Fire Danger day shall be "Agricultural Open Burning" as defined as vegetation such as grass, woody species, crop residue, and other dry plant growth for the purpose of the crop, range, pasture, wildlife or watershed management as defined by K.A.R. 28-19-648.

- d. Burning shall not be initiated during nighttime. For the purpose of this Resolution is defined as the period from one (1) hour before sunset until one (1) hour after sunrise unless special permission in writing has been obtained from the Rural Fire Chief having jurisdiction.
7. A person shall not conduct a burn that creates traffic or other safety hazards.
8. Any open burn will not constitute a smoke nuisance or a hazard to neighboring property or persons.
9. A person shall not burn within 1,000 feet of any occupied dwelling unless the occupant of that dwelling has been notified before the burn.
10. The person conducting the burning shall stockpile the material to be burned; dry it to the extent possible before it is burned, and assure that it is free of matter that will inhibit good combustion.
11. A person shall not burn heavy smoke-producing materials, including heavy oils, tires, tarpaper, metal debris, petroleum products, construction debris, or any material designated by the Secretary of the Department of Health and Environment of the State of Kansas.
12. Businesses must obtain a permit through the Kansas Department of Health and Environment for burning trees and brush for non-agricultural land clearing in addition to a burn permit issued through Saline County.

AGRICULTURAL

DEFINITION, for the purpose of this Resolution, "Agricultural Open Burning" shall be defined as open burning of vegetation such as grass, woody species, crop residue, and other dry plant growth for the purpose of the crop, range, pasture, wildlife, or watershed management as defined by K.A.R. 28-19-648

NON-AGRICULTURAL

DEFINITION, for the purpose of this Resolution, "open burning" shall be defined as the burning of unwanted materials such as paper, trees, brush, leaves, grass clippings, and other debris, where smoke and other emissions are released directly into the air without passing through a chimney or stack.

RECREATIONAL FIRES

DEFINITION, an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, but in an outdoor fireplace, barbeque grill, barbeque pit, or chimney and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purpose.

1. Recreational open flame devices shall not be stored or operated on or under balconies of multi-family dwellings.
2. Open flame recreational devices shall not be operated within 25 feet of combustible material, including but not limited to walls, floors, household items, and flammable vegetation.
3. Such devices shall not be used when wind speed is in excess of 15 mph or a ban has been placed on all outdoor burning for all areas of Saline County through a Proclamation of a State of Local Disaster.

2. Recreational fires shall be constantly attended until the fire is extinguished. Extinguishing equipment such as dirt, sand, water barrel, garden hose, or water truck shall be available for immediate utilization.

3. Recreational fires do not require prior authorization or permission.

RULES FOR OPEN BURNING – HOUSEHOLD TRASH

DEFINITION, for the purpose of this Resolution, "open burning of household trash" shall be defined as the burning of trash or other debris which is carried out on residential premises containing five (5) or fewer dwelling units and is carried out incidental to the regular habitation of said dwelling(s). Open burning of household trash shall be permitted only after the following fire safety precautions have been taken:

1. All such burning shall be conducted in an approved metal container, which is structurally sound to ensure the container's contents will remain contained.
2. An approved protective screen with a maximum weave of ¼ inch shall be installed on top of the container.
3. An area of bare soil or other approved noncombustible material shall surround the burn container for ten (10) feet in all directions.
4. The person conducting the burn shall ensure that an adult supervises the burning until the fire is extinguished.
5. A charged garden hose or a whole bucket of water shall be readily available to control any fires, which may occur.
6. Trash burning shall not be conducted when the wind speed is in excess of fifteen (15) miles per hour.
7. Grassland Fire Danger Index issued by the National Weather Service Forecast Office out of Wichita, Kansas, shall not be in the Very High category.
8. Trash burning shall not be conducted when a ban has been placed on all outdoor burning for all areas of Saline County through a Proclamation of a State of Local Disaster.
9. Due to the volume of household trash burning that occurs routinely within Saline County, Kansas, no notification is necessary to burn household trash in an approved container unless required by a Fire Chief and/or Saline County Emergency Management.

BE IT FURTHER RESOLVED, If more than one Fire District is responding to any fire call or calls, a suspension of further burns may be imposed by the authority of the Saline County Emergency Management Duty Officer or the Rural Fire Chief in that specific district. Until the Rural Fire Chief calls to resume burning, burning will not take place in their district.

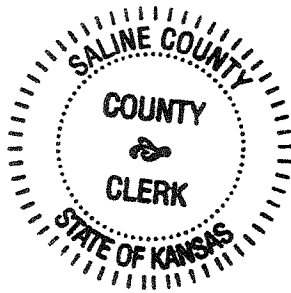
BE IT FURTHER RESOLVED, that the Rural Fire Chief having jurisdiction and/or Saline County Emergency Management Duty Officer shall have the authority to stop any open burning as they deem necessary.

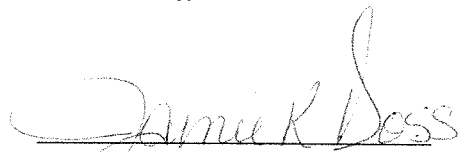
BE IT FURTHER RESOLVED by the Board of County Commissioners of Saline County, Kansas, that certain conditions such as extended periods with little or no rain or snowfall may create dangerous conditions requiring that all open burning be prohibited. Upon recommendations of the Saline County Fire Chief's and/or Saline County Emergency Management, the Board of County Commissioners of Saline County, Kansas may impose a ban on all outdoor burning, including household trash, for all incorporated and

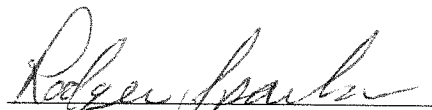
unincorporated areas of Saline County through a Proclamation of a State of Local Disaster. Every effort will be made to ensure that such a ban on burning is communicated to the public.

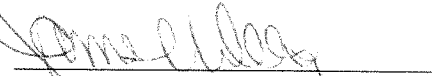
BE IT FURTHER RESOLVED, any person who engages in or permits open burning upon their property, whether such property is owned by, leased, or rented, and has not complied with the provision(s) of this Resolution shall be in violation of this Resolution. Violation of this Resolution shall constitute a Class C Misdemeanor; and, any person convicted of such violation shall be punished as provided by law, including but not limited to restitution for fire department response costs and damages caused by the fire. Permits will only be reinstated after the Saline County District Court is through with the case.

BE IT FURTHER RESOLVED, that Resolution 17-2237 is hereby modified and Amendment #1 to Resolution 17-2237 will become effective January 1st, 2022.





Jamie R Doss, County Clerk


Rodger Sparks, Chairman


James L. Weese, Vice Chair


Michael J. White, Secretary

Monte Shadwick, Commissioner


Robert Vidricksen II, Commissioner