

Resolution 2022-08 (2018-11)

AN AMENDED RESOLUTION ESTABLISHING REGULATIONS AND REQUIRED PROCEDURES FOR AGRICULTURE OPEN BURNING IN UNINCORPORATED AREAS OF CLOUD COUNTY.

Whereas, agricultural open burning is a common and prudent land management practice within Cloud County; and,

Whereas, agricultural open burning can present risk of harm to neighboring lands, neighboring residents, and users of public roads; and

Whereas, it is appropriate to assist fire departments with the deployment and utilization of equipment and personnel for actual emergency circumstances.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLOUD COUNTY:

1. Agricultural open burning, defined as open burning of vegetation such as grass, woody species, crop residue and other dry plant growth for the purpose of crop, range, pasture, wildlife or watershed management, shall be conducted only under the following conditions which meet or exceed. K.A.R.28-19-648.
 - (a). The person conducting the burn shall notify the Concordia Dispatch Office (785-243-3131) before the burning begins and shall provide the dispatcher with the proposed burn location, estimated burn time, responsible party conducting and supervising said burn and means of contacting the party during the burn event.
 - (b). A person shall not conduct a burn that creates a traffic safety hazard. If conditions exist that may result in smoke blowing toward a public roadway, the person conducting the burn shall give adequate notification to the highway patrol, sheriff's office or other appropriate state or local traffic control authorities before burning.
 - (c). A person shall not conduct a burn that creates an airport safety hazard. If smoke may affect visibility at an airport, the person conducting the burn shall give adequate notification to the appropriate airport authorities before burning.
 - (d). The person conducting the burn shall insure that the burning is supervised until the fire is extinguished with the exception of tree or other large debris piles, then the appropriate rural fire Chief must be notified that said burn is unattended.
 - (e). A person shall not initiate burning during the nighttime without permission from their appropriate Rural Fire District Chief.
 - (f). A person will be advised by dispatch that they cannot burn if the local fire chief has advised dispatch of a burn ban and/or the national weather service has issued a red flag warning.
 - (g). A person shall not burn within 1,000 feet of any occupied dwellings in rural areas of the county unless the occupant of that dwelling has been notified before the burn

2. Violation of this resolution, upon conviction, punishable by a fine of \$250.00 per day of violation per location. In addition, violators will be required to pay restitution for all damages done by a fire set in violation of this resolution and will be required to reimburse the fire departments at the FEMA reimbursement rates.

DATED: February 14, 2022

BOARD OF COUNTY COMMISSIONERS
CLOUD COUNTY, KANSAS

Chairman

Member

Member

ATTEST:

County Clerk