

ORDINANCE NO. 2017-06

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 2 OF THE CODE OF THE CITY OF NEW STRAWN, KANSAS REGARDING FIRE PREVENTION IN THE CITY OF NEW STRAWN, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEW STRAWN, KANSAS:

SECTION 1. That Section 7-201, Chapter VII, Article 2 is hereby amended to read as follows:

OPEN BURNING.

(a) Open burning is defined as the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion takes place, only such apertures, ducts, stacks, flues or chimneys are open as are necessary to provide combustion air and to permit the escape of exhaust gases. A 55 gallon metal drum or wire trash burner or similar vehicle does not qualify as a proper combustion chamber.

(b) Rubbish shall have the same meaning as trash, as defined in Chapter VIII, Article 2A, Section 8-2A05.

(c) Garbage shall have the same meaning as set forth in Chapter VIII, Article 2A, Section 8-2A05.

(d) Except as set forth in paragraph (f) below, it shall be unlawful for any person to dispose of rubbish, garbage, trash or any other refuse by open burning or to allow or permit open burning within the city.

(e) All persons must comply with the Coffey County burning requirements.

(f) The restrictions set forth in paragraph (d) above shall not apply to:

(1) Fires set in connection with: (i) agricultural operations related to the commercial growing or harvesting of crops, or (ii) for the purpose of clearing brush or trees.

(2) Fires set for the purpose of instruction and training of city firefighters in the methods of fighting fires.

(3) Fires used for noncommercial preparation of food, such as barbecuing.

(4) Campfires in approved camping areas; provided, that such fire is not

more than four feet in diameter at the base.

(5) Fires contained in a fire pit, which shall be defined as a pit dug into the ground or a freestanding metal vessel designed for such purpose, in which a contained outdoor fire is made.

(6) Fires contained in a chimenea, which shall be defined as a freestanding earthenware or metal fireplace designed for such purpose.

(7) The burning of leaves or grass, provided that it is recommended that such person contact the neighbors of the property where the open burn will occur and inform the neighbors of the open burn and again once the fire is out.

SECTION 2. This ordinance shall take effect and be in force from and after its publication in the official newspaper for the City of New Strawn.

Passed by the City Council and approved by the Mayor of the City of New Strawn, Kansas, on this 9th day of November, 2017.

Mark Petterson, Mayor

ATTEST:

APPROVED AS TO FORM:

Janell K. Templeton, City Clerk

Denise McNabb, City Attorney