

**OSAGE COUNTY, KANSAS
BURN PERMIT**

Date: _____ Time: _____

Name: _____

Address: _____

(H) Phone: _____ Contact Phone (during burning): _____

RESOLUTION NOS. 14-13 & 18-07

THEREFORE, BE IT RESOLVED BY
THE BOARD OF OSAGE COUNTY COMMISSIONERS,

SECTION ONE—OPEN BURNING PROHIBITED

No person shall cause or permit the on-site open burning of waste material, material from salvage operations, structures, vegetation such as grass, woody species, crop residue, and other dry plant growth for the purpose of crop, range, pasture, wildlife or watershed management, household trash, careless discharging of smoking materials, or other combustible materials within the unincorporated areas of Osage County without first obtaining a burning permit from Osage County Emergency Management or his or her designee.

No person shall leave any fire unattended until appropriate precautions have been taken to prevent the fire from spreading or re-kindling and it is totally extinguished.

No person shall set a fire without first taking precautions to insure that the fire will be safely contained within the parameters of the area sought to be burned and will not present a danger to the health or property of adjoining landowners. Said person shall follow all guidelines and rules as set forth on the permit and in conformance with state law and regulations.

SECTION TWO—EXEMPTIONS

Permits shall not be required for fires set in enclosed screen covered containers used for trash disposal, permanent stoves, campfire rings, fireplaces, fire pits or in barbecue grills in developed recreational sites or on residential home sites as long as the materials burned therein are neither hazardous nor toxic and conform to Kansas Open Burning Regulations, i.e. K.A.R. 28-19-645 thru 648. If a fire is caused by fires in previous described devices all penalties in this resolution apply.

SECTION THREE—PERMITS REQUIRED

Permits shall be required for all non-exempt types of open burning within the unincorporated areas of Osage County, Kansas, including but not limited to agricultural burning for the purpose of crop management, fires set for demonstration purposes by government or industrial personnel in fire-fighting procedures, on-site burning associated with land clearing operations, crop or game management practices.

Written open fire burning permits are required and issued free of charge. Permits issued pursuant to these Resolutions are valid through December 31, 2022. They can be obtained from the Osage County Sheriff's Office, Osage County Clerk, Osage County Emergency Management, Osage County Fire Districts or other approved designees.

The Osage County Emergency Management or his or her designee may deny/revoke the application if they are not satisfied that all necessary information provided, they do not believe necessary precautions are being taken to ensure that the fire will be contained or they are concerned that the fire may present a danger to health, property, any neighbor or adjacent land owner's property.

Before starting an open fire, the permit holder shall contact the Osage County Sheriff Dispatch Center (785 828 3121) and report his/her name, telephone number, permit number that was issued to them, the address where the fire will be located, and the type of burning. Permit holders shall insure they have enough man power and equipment on hand to control their open burn. Permit holders will also contact the Osage County Sheriff Dispatch Center when the open burn is complete and totally extinguished.

The permit holder who sets the fire is totally responsible and assumes all responsibility for his/hers acts. The Board of Osage County Commissioners, Osage County Sheriff's Office, Osage County Emergency Management, Osage County Fire Districts their officers, agents, and employees assure no responsibility or liability for fire damage resulting from the use of open burning permits.

If Osage County Fire Districts are dispatched to an open fire burn and the party responsible for the open fire burning operation has not complied with all of the above permit requirements and specifications provisions, the fire district's personnel and equipment will be in service only for fire extinguishment.

SECTION FOUR—BURN BAN

The Osage County Board of County Commissioners reserves the right to ban open burning by further resolution and a burn ban would suspend the burn permits until the burn ban is lifted. Further, Osage County Emergency Management is authorized to issue burn bans on a day to day basis when it is determined through the use of the National Weather Service Rangeland Fire Danger Index, the weather conditions for the day, the ground moisture condition, the vegetation condition, wind conditions or when local Fire Districts and/or fire resources are overwhelmed by a large fire and/or multiple fire incidents that burning should be prohibited. Osage County Emergency Management shall notify the Osage County Sheriff Dispatch Center of the no burn order, will broadcast such information on the County Wide Fire Radio Frequency and up-date burn information on the Osage County website.

SECTION FIVE—PENALTIES

Any person who fails to obtain a permit as required above, who abandons a fire that has not been totally extinguished, who fails to take proper precautions to control a fire, who does not have sufficient personnel and equipment at the burn site as determined by the fire district personnel, who burns on a day when burning is banned by the Commission through a resolution or on a day where Osage County Emergency Management and/or his or her designee has issued a burn ban or who otherwise violates the provisions of this resolution shall be guilty of a Class A misdemeanor punishable upon conviction of a fine of up to \$2500.00. Law enforcement officers and not fire officials are responsible for issuing notices to appear in violation of this resolution.

Any person convicted of violating or failing to comply with any of the provisions of this resolution may also be assessed all costs incurred by emergency responders from any Osage County fire district/department, EMS, law enforcement, emergency management or emergency response units from surrounding counties via mutual aid, in controlling and/or extinguishing the fire.

I certify that I have read the forgoing application relating to open burning regulations and that I will abide with all the terms and conditions of this permit.

Signed: _____

PLEASE CALL 785-828-3121 BEFORE AND AFTER BURNING

PERMIT # _____