

ORDINANCE NO. 1639

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III, SECTION 16-34 OF THE CODE OF THE CITY OF OSAGE CITY RELATING TO OPEN BURNING; BURN WEEKS AND REPEALING PRIOR SECTION 16-34 OF ARTICLE III, CHAPTER 16 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the governing body of the City of Osage City, Kansas, finds that the use of recreational open flame devices should be allowed within the City.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OSAGE CITY, KANSAS:

Section 1. Section 16-34, Open Burning, Burn Weeks of Article III, Chapter 16, Fire Prevention and Protection of the Code of Ordinances of the City of Osage City, Kansas, is hereby amended to read:

16-34. Open burning; burn weeks.

(a) No person shall set on fire, within the city, any rubbish, trash, leaves, grass, paper, lumber or any other combustible materials at any time; provided, that these restrictions shall not apply to burning in an outside fireplace seasoned firewood, or commercial fire starting products intended for use in such units or charcoal in charcoal burners or broilers used in the preparation of food, or in a chimenea or a fire pit or other recreational open flame devices with a total fuel area of three (3) feet or less and two (2) feet or less in height and such recreational fire must be a minimum of 25 feet from any structure and be supervised at all times; and provided further, that incinerators complying with the regulations of the Kansas State Board of Health and the State Fire Marshal may be operated and that the fire chief or his or her authorized representative, so long as such burning is not in violation of the laws of the State of Kansas or the regulations of any regulatory agency thereof.

(b) The governing body may each year establish certain periods of time to allow open burning of leaves, grass and small limbs or wood products and set conditions and requirements of such burning.

Section 2; Prior Section 16-34 of Article III, Chapter 16 of the Code of the City of Osage City and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: EFFECTIVE DATE: That this Ordinance shall be published in the Osage County Herald-Chronicle, and shall be in full force and effect from and after the date of its publication.

Passed by the Governing Body of the City of Osage City, Kansas, and signed by the Mayor this 26TH day of November, 2019.

/s/ Quintin Robert, Mayor

ATTEST:

/s/ Teresa Fultz, City Clerk