

RESOLUTION NO. 040623

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF  
DICKINSON COUNTY, KANSAS**

A RESOLUTION AMENDING RESOLUTION NO. 042122 PERTAINING TO  
BURNING IN DICKINSON COUNTY, KANSAS.

WHEREAS, the Board of County Commissioners of Dickinson County, Kansas, by the powers vested in it by K.S.A.19-101(a) may perform powers of local legislation, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DICKINSON COUNTY, KANSAS, that:

No person shall cause or permit the open burning of any material except as provided in Kansas Administrative Regulation 28-19-645 through 28-19-648, et seq. and subject to the following:

1. Any individual who intends to conduct any open burning of any material(s) except as provided in 28-19-645, et seq. shall first be required to obtain a permit from Dickinson County. The permitting process shall consist of obtaining a permit number (also referred to as a case number) from the Dickinson County Emergency Communications Center prior to conducting the controlled burn. The permitting process can be done by telephone contact and no written permit is required.
2. The person requesting to conduct said controlled burn must contact the Dickinson County Emergency Communications Center at 785-263-4041 or toll free at 1-888-800-0417, and provide the following information:
  - A. Name, address and phone number of the person responsible for the burn.
  - B. Exact location of the intended open burning operation.
  - C. Type of material being burned.
  - D. Ignition Time of burning operation. **Requester must call in prior to starting the fire.**
3. The responsible person shall remain in continuous attendance with the burning operation and with the ability to extinguish the fire and report its status if necessary to the Dickinson County Emergency Communications Center.
4. No burning shall take place within 150 feet of any structure, oil tank(s), or vehicle(s).
5. No burning shall take place when wind speeds are 15 mph or greater.
6. No burning shall initiate burning during the nighttime, which for the purposes of this regulation is defined as the period from two (2) hours before sunset until one (1) after sunrise. A person shall not add material to a fire after two (2) hours before sunset.
7. Burning shall not be allowed or conducted during any times when dry conditions are prevalent to a level such that initiating any burning operations would be considered hazardous and dangerous to the surroundings. The Fire Chief, or his/her designee, of the jurisdiction for where the fire will be located

shall have and retain the authority to instruct communications personnel to refrain from issuance of any burning permits should the above conditions exist within their respective district, whereby preventing burning in that respective fire jurisdiction. The Fire Chief shall also have the authority to authorize limited burning in grassland areas when required for agricultural or crop rotation purposes, and to reinstate burning operations in the same manner by contacting the communications center authorizing such.

A violation of this resolution shall be a Class B misdemeanor with a fine not to exceed \$1,000 and/or up to six (6) months incarceration in the county jail. Prosecution shall be in the District Court of Dickinson County Kansas, as authorized by K.S.A. 19-101d and amendments thereto. Further, any person starting said fire without complying with the above may be ordered to make restitution for any damages done including fire department fees and expenses.

BE IT FURTHER RESOLVED that this Resolution shall be published once in the official county newspaper, and take effect after said publication.

ADOPTED this 6 day of April, 2023, by the Board of County Commissioners of Dickinson County, Kansas.

BOARD OF COUNTY COMMISSIONERS  
OF DICKINSON COUNTY, KANSAS

  
\_\_\_\_\_  
Lynn Peterson, Chairman

  
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Craig Chamberlin, Commissioner

  
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Ron Roller, Commissioner



ATTEST

  
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Jeanne Livingston  
County Clerk