



BUTLER COUNTY FIRE DISTRICT #3

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OPEN BURNING REQUIREMENTS INFORMATION SHEET Unincorporated Areas of Pleasant and Richland Townships Outside the City Limits of Rose Hill & Andover

Authorization and a Burn Permit is Required

1. Outdoor open burning in the unincorporated portions of Butler County, including Butler County Fire District #3 (Pleasant and Richland Townships), **requires authorization** before the burning is to take place.
2. To receive authorization and a burn permit for any type of outdoor open burning, **you are required** to call Butler County Communications at **(316) 320 - 1294** before the burn takes place.

Open Burning Regulations

1. Kansas Administrative Regulation [K.A.R. 28-19-645 through K.A.R. 28-19-648](#).
2. Butler County [Resolution 11-04](#).
3. [Flint Hills Smoke Management Plan](#) via K.A.R. 28-19-645a

General Guidelines for Outdoor Burning per K.A.R. 28-19-645 through K.A.R. 28-19-648

The following guidelines are a summary of the Kansas Regulations and are to be followed when conducting any outdoor burning operation within Butler County, Kansas. For complete regulations, see the **Additional Information** section.

1. Burning is not otherwise prohibited by any local jurisdiction of authority.
2. Burning of materials that are manufactured from petroleum products, which produce heavy smoke, (oils, tires, rubber, plastics, asphalt shingles, tar paper, etc.) **is prohibited**.
3. Burning shall take place **only during daylight hours** and shall not be started until at least one hour after sunrise, however, burning to create firebreaks is permitted during early morning hours to take advantage of calm wind conditions.
4. Burning is prohibited during foggy days or cloudy days with a ceiling of less than 2000 feet.
5. Burning is restricted to periods when surface wind speed is more than 5 miles per hour and not greater than 15 miles per hour, and from a direction which will not carry smoke over any occupied dwelling or public roadways or over any airports within two miles of the burning site.
6. Burning within 1000 feet of a roadway shall take place only after appropriate notification to the highway patrol, sheriff's office, or other appropriate authorities, in order to avoid potential traffic safety hazards. (*Contacting Butler County Emergency Communications and receiving a burn permit will satisfy this requirement.*)
7. The area to be burned is at least 1000 feet from any occupied dwelling and at least one mile from any airport.
8. The burning operation will be supervised until the fire is extinguished.

Open Burning of Vegetation per Butler County Resolution 11-04 (Summary)

The open burning of vegetation such as grass for pasture management or crop management on properties less than forty acres and all other allowed open burning not requiring a permit from KDHE, shall be permitted only after the following standards have been met or taken:

1. Notification to the appropriate 911 Center (*Butler County Emergency Communications*) has been made and approval granted.
2. Wind speeds greater than five (5) miles per hour and less than fifteen (15) miles per hour.
3. A responsible adult constantly supervising all burning until fire is extinguished.
4. An adequate water supply readily available.
5. The open burning shall not be initiated during nighttime, which for the purpose of this resolution is defined as the period from two hours before sunset until one hour after sunrise. A person shall not add material to a fire after two hours before sunset.

- A person shall not conduct a burn that creates a traffic or other safety hazard.

Burning of Trash per Butler County Resolution 11-04 (Summary)

The burning of trash or other debris which is carried out on residential premises containing five (5) or less dwelling units and is carried out incidental to the normal habitation of said dwelling(s) shall be permitted only after the following fire safety precautions has been taken:

- All such burning may only be conducted in an approved metal container, which is structurally sound to ensure the contents of said container will remain contained.
- An approved protective screen with a maximum weave of ¼ inch shall be installed on top of the container.
- An area of bare soil or other approved non-combustible material shall surround the burn container for ten (10) feet in all directions.
- A responsible adult must constantly supervise all burning.
- A charged garden hose or full bucket of water must be readily available to control any fires which may occur.
- No fire department notification is required for burning of household trash in an approved container.
- Trash burning shall not be conducted when the wind speed is in excess of fifteen (15) miles per hour.

Penalties per Butler County Resolution 11-04

- Any person who engages in or permits open burning upon his/her property, whether such property of owned by, leased, or rented, and has not complied with the provisions of this resolution shall be in violation of this resolution and may be upon conviction, be sentenced to serve no more than (6) months and/or a fine not to exceed one thousand (\$1,000.00).
- Additionally, such persons may be held liable for the cost of fire suppression activities as necessary to control and extinguish the fire and may be held responsible for all damages associated with said fire.

Additional Information

- Additional burning restrictions are in force during the month of April per the Flint Hills Smoke Management Plan and Butler County Resolution 11-04. Visit our website at www.bcfid3.com for additional information, including links to the complete controlled outdoor (open) burning requirements, such as the State of Kansas Regulations, the Butler County Resolution, and the Flint Hills Smoke Management Plan.
- For further clarification of burning regulations or to schedule an inspection of your burn pile or area to be burned, feel free to contact the Butler County Fire District #3 business office at **(316) 776 - 0401** during regular office hours (Monday - Friday, 8:00 am - 4:00pm).

Pleasant Township

