

AN ORDINANCE AMENDING SECTIONS 7-213 THROUGH 7-219 OF ARTICLE 2 OF CHAPTER VII OF THE CODE OF THE CITY OF AUGUSTA, KANSAS CONCERNING OPENING BURNING OF ALL MATERIALS; ADDING REGULATIONS FOR OPEN BURNING OF COMBUSTIBLE MATERIALS; AND ADDING PENALTIES FOR VIOLATION OF OPEN BURNING AND RELATED PROVISIONS OF CITY CODE.

WHEREAS, the Governing Body of the City of Augusta, Kansas has determined certain amendments and additions to provisions of the City Code pertaining to open burning are necessary.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS, AS FOLLOWS:

SECTION 1. Sections 7-213 through 7-219 of Article 2 of Chapter VII of the Code of the City of Augusta, Kansas, are repealed and replaced by the following:

**7-213. OPEN BURNING; GENERAL.** It shall be unlawful for any person to conduct or permit within the city any open burning of any materials wherein contaminates resulting from such combustion are emitted directly into the ambient air provided that such open burning prohibition shall not apply to:

(a) Open fires for cooking or ceremonial purposes in facilities constructed specifically for such purpose on public or private premises used for recreational purposes, or facilities approved by the Director of Safety; provided that any such fire so started shall be extinguished and made safe before the person starting or maintaining the fire shall leave the place where the fire was started. Open pit fires are prohibited unless authorized by the Director of Safety;

(b) The burning of combustible materials in indoor fireplaces;

(c) The burning of combustible materials in outdoor fireplaces;

(d) On permanent sites which are licensed by the Kansas Department of Health and Environment for open burning.

(e) The burning of combustible material for fire training by a public fire department and/or private fire brigade for only after notification to the Director of Safety;

(f) An approved closed chamber device as defined in 7-217.

(g) The removal of hazardous materials, which were accidentally discharged, but only when the Kansas Department of Health and Environment has issued the proper permit and has approved the burning operation.

**7-214. OPEN BURNING; COMBUSTIBLE MATERIALS.** Open burning of combustible materials as may be authorized by issuance of an open burning permit

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