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ORDINANCE NO. 721

AN ORDINANCE ALLOWING AND ADOPTING STANDARDS AND PROCEDURES, FOR GRASS BURNING IN THE CITY LIMITS OF THE CITY OF WASHINGTON

WHEREAS, the Governing Body of the City of Washington, Kansas, finds that grass burning can be allowed from time to time.

WHEREAS, standards and procedures for grass burning are necessary for the health, safety and welfare of the citizens of the city

WHEREAS, the governing body of the City of Washington, Kansas, wishes to enact certain uniform standards and procedures for such burning;

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

SECTION 1. Any resident wishing to burn dead grass (ONLY) off of their property shall be required to apply for a permit through the City Clerk of the City of Washington.

SECTION 2. All permits shall be inspected by the City of Washington Fire Chief or his/her designee.

SECTION 3. All applicants shall follow all requirements put forth by the City of Washington Fire Chief or his designee at the time of inspection.

SECTION 3. All permits shall be approved by the Fire Chief first and then the City Clerk.

SECTION 4. If the permit is granted the City Clerk will notify the 911 and adjoining neighbors of the date, address, resident and time the burning will take place.

SECTION 5. No burning is permitted during periods when surface wind is greater than fifteen (15) miles per hour.

SECTION 6. No burning shall commence during the nighttime, which is defined as that period from 2 hours before sunset until one hour after sunrise. No material shall be added to a fire after two hours before sunset.

SECTION 7. No burning is permitted which creates a nuisance. No burning is permitted which creates a traffic of other safety hazard.

SECTION 8. The person conducting the burn shall insure that the burning is supervised at all times until the fire is extinguished.

SECTION 9. That the provisions of the Uniform Fire Code Volume 1, Section 1102.3.2 dealing with the general safety precautions of an open burn shall be made a part of the conditions of this ordinance by reference. A copy of said Uniform Fire Code provisions shall be available for review at the City Hall during regular business hours.

SECTION 10. All applicants shall pay a non-refundable \$20.00 application fee. At such time the fire department determines that on-site attendance, by the department is required a \$100.00 additional fee shall apply.

SECTION 11. This Ordinance shall be supplemental to simply create one exception to the burning ban as stated in ordinance number 626.

SECTION 12. In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of the City of Washington and the Governing Body.

SECTION 13. The degree of public protection required by this ordinance is considered reasonable for regulatory purposes. This ordinance shall not create a liability on the part of the City of Washington, any officer, employee, or body thereof, for any damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 14. This ordinance shall be in full force and effect from and after its adoption by the City Council and after its publication in the official Washington City newspaper.

PASSED, APPROVED AND ADOPTED by the governing body of the City of Washington, Kansas, this 7th day of April, 2008.

Mayor

ATTEST:

City Clerk