

RESOLUTION 2008-17

WHEREAS, on this 17th day of November, 2008, The Board of County Commissioners of Russell County, Kansas have determined that it is advisable in the public interest of the County that regulations regarding open burning in Russell County, Kansas be implemented;

AND WHEREAS The Board of County Commissioners holds the authority to implement such regulations pursuant to Kansas Statute;

THEREFORE, IT IS HEREBY RESOLVED by The Board of County Commissioners of Russell County, Kansas that the following regulations concerning controlled burning in Russell County, Kansas be implemented.

RULES FOR PRESCRIBED BURNS-AGRICULTURAL

1. **Permitttee shall call Dispatch Center** at 785.483.2121 or Russell County Emergency Management at 785.483.5100 to obtain Burn permit Application which shall be complemented and returned by applicant to Russell County Emergency Management. Burn Permit number will be issued by Russell County Emergency Management with approval by District, Township, or City Fire Chief. After Burn permit is issued and rules to burn are followed on the date of bun, prior to starting burn, Permitttee shall contact Russell Communications Dispatch Center at 785.483.2121. Permitee shall give name, location of prescribed burn (address proffered and legal description), contact phone numbers and Burn Permit number. Dispatch will advice if weather and Rangeland Fire Index criteria are met for that day. No control burns are allowed after sundown or when smoke will be across roadways. Kansas State Regulations 28-19-645, 28-19-648, 28-19-647 and 28-19-648 shall be obeyed.
2. **WEATHER**
 - A. Wind shall be forecasted throughout the burn period to be less than 15mph, and
 - B. Rangeland Fire Index shall not be in the Very High or Extreme range. Moderate is preferred.
3. **TRAINING:** County Fire School on Prescribed Burns for Agricultural, Rangeland Management, CRP and Crop Residue is required. (KSU Extension or Wildland Fire Course sponsored by National Wildland) Assistance with a prior prescribed burn conducted by an individual considered to be experienced in prescribed burning is recommended.
4. **It is recommended that Permitttee to have a written burn plan** approved by Emergency Management Director or designee in accordance with Prescribed Burn School. Assistance with a burn plan can be obtained at the Russell County/KSU Extension Office in the Russell County Courthouse.
5. Fire Break must be at least 50 feet with no less than 20 feet disced. Alternative would be at least 50 feet mowed and a back burned fire guard of a minimum six feet in width in accordance with Prescribed Burn School.

6. **Equipment required on Hand:** A minimum of five people on the burn crew with an additional person for a larger parcels in accordance with Prescribed Burn School and one of the following:

- a. Tractor and a minimum of 12 foot disc capable of traversing the burn area terrain, or
- b. No less than 250 gallon of water delivered by two sources, one of the sources having a minimum of 150 gallons and the equipment to deliver at a rate of at least 10 gallons minute. The other 100 gallons could be split among 20 gallon tanks on ATV's and backpack sprayers capable of five gallons/minute.

7. **Out of Control Burns: IF THE RULES ARE NOT FOLLOWED,** the person in charge of the burn, whether or not said person has a permit, shall pay for the fire run as follows:

- A. \$250.00 per Fire Department and/or Emergency Response Vehicle that responds to help extinguish the fire, and
- B. \$10.00 per hour for each Firefighter and/or Emergency Responder that assists in extinguishing the fire.

8. All Rules and Regulations will be on hand at the Dispatch Center located at 339 East Eighth, Russell, Kansas 67665 and Russell County Emergency Management located at 850 Elm Street, Bunker Hill, Kansas 67626. Additional information for managing burning is available at the Russell County/KS U Extension Office located in the Russell County Courthouse at 401 North Main Street, Russell, Kansas 67665

Rules on Control Burns - Non-Agricultural

1. Permittee Shall Call Dispatch Center at 785.483.2121 or Russell County Emergency Management at 785.483.5100 to obtain a Burn Permit Application which shall be returned by the applicant and returned to the Russell County Emergency Management Office. Burn Permit number may be issued by Russell County Emergency Management with approval by District, Township or City Fire Chief. After Burn permit is issued and rules to burn are followed on the date of burn, prior to starting burn, Permittee shall contact Russell Communications Dispatch Center at 785.483.2121. Permittee shall give name, location of controlled burn (address preferred and legal description), contact phone numbers and Burn Permit number. Dispatch will advise if weather and Rangeland Fire Index criteria are met for that day. No controlled burns are allowed after sundown or when smoke will be across roadways. Kansas State Regulations 28-19-645, 28-19-646, 28-19-647 and 28-19-648 shall be followed

2. Weather:

- a. Wind shall be forecasted to be less than 15 mph, and
- b. Rangeland Fire Index shall not be in the High or above range.

3. **Training:** County Fire School on CRP Prescribed Burns is recommended

4. Equipment required to be on hand:

- a. Hand sprayer w/minimum 2 V2 gal. water, or
- b. 10 lbs. ABC fire extinguisher, or
- c. No less than 100 gallon portable water supply and the equipment to deliver it at least 10 gpm or 3/4" garden hose hooked to hydrant capable of delivering 25

gpm.

5. **Out of Control Burns: If rules are not followed**, the person in charge of the burn, whether or not they have a permit, shall pay for the fire run as follows:

a. \$250.00 per Fire Department and/or Emergency Response Vehicle that responds to help extinguish the fire, and

b. \$10.00 per hour for each Firefighter and/or Emergency Responder that assists in extinguishing the fire.

6. All Rules and Regulations will be on hand at the Dispatch Center Located at 339 East 8th, Russell, Kansas, and Russell County Emergency Management Located at 850 Elm Street, Bunker Hill, Kansas 67626. Additional information for managing burning is available at the Russell County Extension Office at the Russell County Courthouse.

7. Size of burn will be considered due to the differences between trash barrels, trash pits, different sizes of brush piles, bonfires, etc. Burning of trash in a barrel shall require a permit as above-stated, but the permittee shall not be required to call the Russell County Dispatch Center prior to starting each burn. Campfires are exempt from requirements for permits and for calling Russell County Dispatch Center.

IT IS FURTHER RESOLVED that violations of this resolution shall be prosecuted and enforced pursuant to statute for the enforcement of county resolutions.

IT IS FURTHER RESOLVED that this resolution shall be published in the official county newspapers pursuant to law.

Passed and adopted by a unanimous
vote this day of November 17, 2008

THE BOARD OF COUNTY

COMMISSIONERS

OF RUSSELL COUNTY, KANSAS
s/ LARRY D. HICKMAN
Chairman
s/ WILLIAM HICKERT
Commissioner
s/ LARRY D. HICKMAN
Commissioner

ATTEST:

s/ MARY K. NUSS
County Clerk, Deputy