

ORDINANCE NO. 1009

AN ORDINANCE AMENDING CHAPTER 7, SUBSECTION 205, OF THE CODE OF THE CITY OF CHAPMAN REGARDING OPEN BURNING.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHAPMAN, KANSAS:

SECTION 1. That Chapter 7, Subsection 205, of the Code of the City of Chapman is hereby amended and replaced by the following language, to read as follows:

7-204. Open burning.

(a) It shall be unlawful for any person to openly burn any combustible materials, including trash, leaves, lumber, straw, paper, boxes, grass and the like within the city.

(b) It shall be prima facie evidence that the person who owns or controls property on which open burning occurs has caused or permitted the open burning.

(c) The provisions of (a) shall not apply to the building of open fires which are for cooking or ceremonial purposes, on public or private lands regularly used for recreational purposes, or when authorized as hereinafter set forth.

(d) The fire chief is hereby authorized to designate certain dates and times when open burning is permitted within the city, by posting the dates and times in written form at the city building.

(e) Any open burning which is authorized within the city shall be subject to the Rules for Open Burning which shall be approved by the governing body and posted at city hall or available online.

(f) Violation of the Rules for Open Burning shall constitute a class C misdemeanor and may be enforced by any law enforcement officer.

(g) Any authorized open fire may be extinguished at any time if the fire department has a reasonable belief that the fire poses a risk to persons or property.

(h) The city may authorize open burning at dates and times outside the posted periods for open burning, on an individual basis. Such individual permits for burning shall be subject to the Rules for Open Burning.

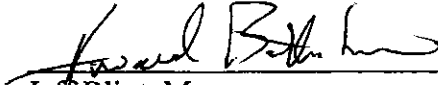
SECTION 2. All prior versions of ordinance subsection 7-205 are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force as of the date of its

passage, approval and publication in the official City newspaper as provided by law.

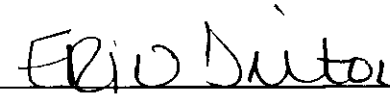
PASSED AND APPROVED by the Governing Body of the City of Chapman, Kansas, a majority being in favor thereof, this 9th day of May, 2018.

APPROVED AND SIGNED.



Jeff Blixt, Mayor
Howard Battishill, Council
President acting in Mayor's
absence

ATTEST:



Erin Tilton
City Clerk