

(Published in the *Garden City Telegram* this 5th day of July, 2013.)

ORDINANCE NO. 401

AN ORDINANCE OF THE CITY OF SUBLETTE, KANSAS, PROHIBITING OPEN BURNING WITHIN THE CITY LIMITS UNLESS AUTHORIZED TO DO SO AS ENUMERATED HEREIN; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL CONFLICTING ORDINANCES.

WHEREAS, the Governing Body of the City of Sublette wishes to regulate various types of burning within the city limits, provide for exceptions to any general prohibitions, and to specify penalties for violation of any such prohibition.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SUBLETTE, KANSAS:

SECTION 1. BURNING TRASH: RUBBISH, PROHIBITED. No household wastes, construction materials, processed materials, dead animals, building materials, etc., shall be burned outside at any time in the city. Specifically, no trash of any kind shall be burned in any city trash dumpster or trash barrel.

SECTION 2. BURNING DRY GRASS/NATURAL VEGETATION. This article shall not be construed to prohibit the burning-off of dry grass or natural vegetation. Natural vegetation shall include but not be limited to branches, grass, tumbleweeds, or leaves. The burning of the same under this section shall be permitted at the discretion and expressed authorization of the Haskell County Sheriff's Department.

SECTION 3. BONFIRES. Bonfires for pep rallies and other special occasions shall be permitted at the discretion and express authorization of the Haskell County Sheriff's Department specifically noting time, place, and duration.

SECTION 4. OUTDOOR FIRES. A fire may be built in any portable burner including but not limited to outdoor stove, oven, fireplace, chimenea, covered fire pit, or barbecue pit: provided, that such unit shall be solidly enclosed on all sides and the top surface shall be covered in a material such as wire mesh sufficient to contain any burning embers and ash. Any fire so started shall be extinguished and made safe before the persons starting and maintaining the same shall leave the place where the fire was started.

SECTION 5. ACCUMULATIONS OF TRASH. Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste, rubbish or trash of any kinds shall not be permitted to be in public view. This section shall not apply to properly maintained mulch piles and logs/wood/firewood stored for use to heat or cook.

SECTION 6. PENALTY. Any person violation any of the provisions of this article shall, upon conviction thereof, be fined in any sum not exceeding \$500.00, or be imprisoned not to exceed 30 days, or be both so fined and imprisoned.

SECTION 7. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of other ordinances in conflict herewith are hereby repealed. Any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

SECTION 8. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication one time in the Haskell County Monitor Chief, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF SUBLETTE, KANSAS AND THE MAYOR, THIS 1ST DAY OF JULY 2013.

JERY BAILEY, MAYOR

(SEAL)

ATTEST:

JEANNIE TRIGG, CITY CLERK