

ORDINANCE NO. 47

AN ORDINANCE REQUIRING A PERMIT FOR OPEN BURNING WITHIN THE CITY LIMITS OF LINN VALLEY, KANSAS

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

Section 1. No person shall kindle or maintain any bonfire, or rubbish fire, or burn any refuse, papers, shavings, weeds, brush, grass, leaves or any other combustible material within the corporate limits of the city without having first obtained a Fire Permit.

Section 2. Fire Permits may be obtained from the Linn Valley Property Owners Association and must be in the possession of any person kindling or maintaining a fire permitted thereunder, and must be produced for inspection upon the demand of any city or county law enforcement officer or any city or county fire official acting in that capacity.

Section 3. Any fire set pursuant to a permit under this ordinance shall meet the following requirements:

(A) No fire permitted hereunder shall be left unattended by the person starting or maintaining it until it is completely extinguished.

(B) Burning may be commenced two hours after sunrise but may not be started less than three hours before sunset.

(C) A sufficient method of extinguishment must be on site.

(D) Any permits required under state or federal statute or regulation must be obtained.

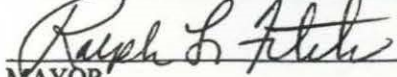
Section 4. Nothing herein shall be construed as requiring a permit for or prohibiting a fire built in an outdoor fire ring, stove, oven, fireplace, barbeque, pit, or portable burner, provided that any such fire shall be extinguished and made safe before the persons starting or maintaining such fire shall leave the place where the fire was started.

Section 5. Any person violating this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of up to \$600. Additionally, a person found guilty of violating this ordinance may be ordered to reimburse for any damages or costs incurred

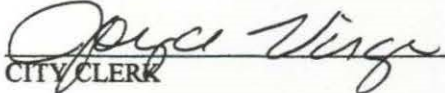
by any party, including the City, as a result of the violation.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 2002.


MAYOR

ATTEST:


CITY CLERK