

# The Fire Departments of Ellsworth County Burn Rules

The Fire Departments of Ellsworth County have agreed and set forth a set of rules for doing control burns in Rural Ellsworth County and the fees for persons not following the rules when a Fire Department or Departments responds to the fire.

## **RULES FOR PRESCRIBED BURNS-AGRICULTURAL**

1. **The person doing a prescribed burn shall contact the Ellsworth County Clerk to obtain prescribed burn rules and obtain a burn permit.** On the date of prescribed burn, after the proper preparations are followed according to the rules, the person doing the prescribed burn shall contact the Fire Chief and/or his/her designee, of the Fire Department of your area for approval of weather and Rangeland Fire Index criteria for that day and approval to burn. Also by Ellsworth County Resolution No. 18-R-03, immediately prior to starting the burn, they shall contact Ellsworth County Sheriff Office at 785-472-4416. The person doing the prescribed burn shall give their name, burn permit number, location, date, and time of the burn with "location" to include quarter section, section number, and township and range number, as well as any rural road address. No prescribed burns are allowed after sundown or when smoke will be across roadways. Kansas Administrative Regulations 28-19-645, 28-19-646, 28-19-647 and 28-19-648 shall be obeyed. All prescribed burns shall be supervised by a responsible individual from start of burn until such time as fire is extinguished. The person that was given permission to do the prescribed burn is responsible for the burn until it is completely extinguished, including any rekindle of the burn. It shall be the responsibility of the person conducting the prescribed burn to notify the Sheriff's Office Dispatch, should the burn "jump" firebreaks and/or extend beyond the control of the person conducting the prescribed burn.

## 2 **Weather**

For weather information go to [www.ellsworthcounty.org](http://www.ellsworthcounty.org) then go to Departments and under the Emergency Managers page you will find the Fire Weather link to look at the National Weather Service forecast.

A. Wind shall be forecasted throughout the burn to be a minimum of 5mph and less than 15mph, or wind gust less than 20mph forecasted by the National Weather Service. Also at least 24 hours after the burn is extinguished the wind shall not be forecasted to be over 15mph, and

B. National Weather Service Rangeland Fire Index shall not be 20 or higher, or in the Very High or Extreme range.

C. A prescribed burn shall not initiate burning during the nighttime, which for the purposes of these rules is defined as the period from two hours before sunset until one hour after sunrise. A person shall not add material to a fire after two hours before sunset.

## 3. **Fire Break**

Fire Break must be at least 50 feet wide with no less than 20 feet disked. Alternative would be at least 50 feet mowed short and prefer a back burned fire guard of a minimum six feet in width in accordance with Prescribed Burn School.

## 4. **Equipment required on Hand:**

A. No less than 500-gallons 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

per minute. The other 350-gallons could be split amongst other equipment including 20-gallon tanks on ATV's and backpack sprayers capable of five gallons/minute.

**B.** We suggest having a tractor and a minimum of 12 foot disc capable of traversing the burn area terrain.

**5. Out of control Prescribed Burns: IF THE RULES ARE NOT FOLLOWED,** the person that was given permission to do the prescribed burn, or if no permission was given it shall be the person that started the fire, shall pay for the fire run as follows:

**A.** In the event a fire truck or trucks are dispatched to an illegal burn, or a burn that the rules were not followed, there will be a fee assessed by the responding Fire Departments of \$500.00 for each emergency vehicle that responds to the fire, plus any and all reasonable expenses associated with public and private vehicles, equipment, and supplies requested by the Fire Department in extinguishing said fire. The Fire Department where the violation took place will do the billing for the fire for all Fire Departments if mutual aid is requested. The billing Fire Department will distribute the fees to the other Fire Departments once the fees are collected. The Fire Chief or Fireman in charge of extinguishing said fire will make the decision if mutual aid is needed.

All Rules and Regulations will be on hand with the Ellsworth County Clerk. Additional information for managing prescribed burning is available at the Ellsworth County/KSU Extension Office located in the Ellsworth County court House at 210 N Kansas Ave., Ellsworth Kansas 67439.

### **Rules on Control Burns - Non-Agricultural**

**1. The person doing a control burn shall contact the Ellsworth County Clerk to obtain control burn rules and obtain a burn permit.** On the date of control burn, after the proper preparations are followed according to the rules, the person doing the control burn shall contact the Fire Chief and/or his/her designee, of the Fire Department of your area for approval of weather and Rangeland Fire Index criteria for that day and approval to burn. Also by Ellsworth County Resolution No. 18-R-03, immediately prior to starting the burn, they shall contact Ellsworth County Sheriff Office at 785-472-4416. The person doing the controlled burn shall give their name, burn permit number, location, date, and time of the burn with "location" to include quarter section, section number, and township and range number, as well as any rural road address. No control burns are allowed after sundown or when smoke will be across roadways. Kansas Administrative Regulations 28-19-645, 28-19-646, 28-19-647 and 28-19-648 shall be obeyed. All control burns shall be supervised by a responsible individual from start of burn until such time as fire is extinguished. The person that was given permission to do the control burn is responsible for the burn until it is completely extinguished, including any rekindle of the burn. It shall be the responsibility of the person conducting the burn to notify the Sheriff's Office Dispatch, should the burn "jump" firebreaks and/or extend beyond the control of the person conducting the burn.

**2. Weather:**

For weather information go to [www.ellsworthcounty.org](http://www.ellsworthcounty.org) then go to Departments and under the Emergency Managers page you will find the Fire Weather link to look at the National Weather Service forecast.

A. Wind shall be forecasted throughout the burn to be less than 15mph, or wind gust less than 20mph forecasted by the National Weather Service. Also at least 24 hours after the burn is extinguished the wind shall not be forecasted to be over 15mph, and

B. National Weather Service Rangeland Fire Index shall not be 20 or higher, or in the Very High or Extreme range.

C. A control burn shall not initiate burning during the nighttime, which for the purposes of these rules is defined as the period from two hours before sunset until one hour after sunrise. A person shall not add material to a fire after two hours before sunset.

**3. Equipment required to be on hand:**

A. Hand sprayer w/minimum 2 gallons of water, or 10 lbs. ABC fire extinguisher

B. No less than 100-gallon portable water supply and the equipment to deliver it at least 5 gpm or 3/4" garden hose hooked to hydrant capable of delivering 5 gpm.

**4. Doing more than one control burn at the same time:** If you are doing more than one control burn at a time [for example several brush piles], they all must be within a 100-yard radius, must not have any obstructions between them [for example draws or creeks], and must be able to have direct site of all burns at all times. If this cannot be done you must have a person with the required equipment for each area of the control burn. The person that was given permission to do the control burn, or if no permission was given it shall be the person that started the fires, is responsible for all the fires and persons doing the control burn.

**5. Out of control, Control Burns: IF THE RULES ARE NOT FOLLOWED,** the person that was given permission to do the control burn, or if no permission was given it shall be the person that started the fire, shall pay for the fire run as follows:

A. In the event a fire truck or trucks are dispatched to an illegal burn, or a burn that the rules were not followed, there will be a fee assessed by the responding Fire Departments of \$500.00 for each emergency vehicle that responds to the fire, plus any and all reasonable expenses associated with public and private vehicles, equipment, and supplies requested by the Fire Department in extinguishing said fire. The Fire Department where the violation took place will do the billing for the fire for all Fire Departments if mutual aid is requested. The billing Fire Department will distribute the fees to the other Fire Departments once the fees are collected. The Fire Chief or Fireman in charge of extinguishing said fire will make the decision if mutual aid is needed.

All Rules and Regulations will be on hand with the Ellsworth County Clerk. Additional information for managing burning is available at the Ellsworth County/KSU Extension Office located in the Ellsworth County court House at 210 N Kansas Ave., Ellsworth Kansas 67439.

**Burning trash in a barrel outside of the City limits**

**The person doing a burning of trash shall contact the Ellsworth County Clerk to obtain trash burning rules and obtain a burn permit.**

1. Persons burning trash in a barrel **[no larger than a 55-gallon barrel with a screen to cover the opening]**, shall not be required to call the local Fire Chief and/or his/her designee, or Ellsworth County Sheriff's Office prior to starting each burn. The burning of the trash in a barrel shall be supervised by a responsible individual from start of burn until such time as fire is extinguished.

The person doing the burning of trash is responsible for the burn until it is completely extinguished, including any rekindle of the burn.

**2. Weather:**

For weather information go to [www.ellsworthcounty.org](http://www.ellsworthcounty.org) then go to Departments and under the Emergency Managers page you will find the Fire Weather link to look at the National Weather Service forecast.

A. Wind shall be forecasted throughout the burn period to be less than 15mph, or wind gust less than 20mph forecasted by the National Weather Service, and

B. National Weather Service Rangeland Fire Index shall not be 20 or higher, or in the Very High or Extreme range.

C. Burning trash shall not initiated during the nighttime, which for the purposes of these rules is defined as the period from two hours before sunset until one hour after sunrise. A person shall not add material to a fire after two hours before sunset.

**3. Equipment required to be on hand:**

A. Hand sprayer w/minimum 2-gallons of water, or 10 lbs. ABC fire extinguisher

B. No less than 100-gallon portable water supply and the equipment to deliver it at least 5 gpm or 3/4" garden hose hooked to hydrant capable of delivering 5 gpm.

**4. Burn Ban:** If Ellsworth County Commissioners put a burn ban in affect, the burning of trash in a barrel will be allowed.

**5. Out of control, Trash Burns: IF THE RULES ARE NOT FOLLOWED,** the person that started the fire, shall pay for the fire run as follows:

A. In the event a fire truck or trucks are dispatched to an illegal burn, or a burn that the rules were not followed, there will be a fee assessed by the responding Fire Departments of \$500.00 for each emergency vehicle that responds to the fire, plus any and all reasonable expenses associated with public and private vehicles, equipment, and supplies requested by the Fire Department in extinguishing said fire. The Fire Department within the area where the violation took place will do the billing for the fire for all Fire Departments if mutual aid is requested. The billing Fire Department will distribute the fees to the other Fire Departments once the fees are collected. The Fire Chief or Fireman in charge of extinguishing said fire will make the decision if mutual aid is needed.

All Rules and Regulations will be on hand with the Ellsworth County Clerk.

### **Campfires or Bonfires**

**The person having a campfire or bonfire shall contact the Ellsworth County Clerk to obtain the rules and obtain a burn permit.**

1. If the campfire rules below are followed, the persons having a campfire or bonfire outside the city limits shall not be required to call the local Fire Chief and/or his/her designee, or Ellsworth County Sheriff's Office prior to starting the camp fire,

A. The campfire is in a pit with a ring on the outside, made of either rock or metal that is no larger than 2 feet inside diameter. Any camp fire or bon fire larger then this will be considered a control burn.

B. The only thing allowed to burn in the pit is timber.

**2. Weather:**

For weather information go to [www.ellsworthcounty.org](http://www.ellsworthcounty.org) then go to Departments and under the Emergency Managers page you will find the Fire Weather link to look at the National Weather Service forecast

A. Wind shall be forecasted throughout the burn period to be less than 15mph, or wind gust less than 20mph forecasted by the National Weather Service, and

B. National Weather Service Rangeland Fire Index shall not be 20 or higher, or in the Very High or Extreme range.

**3. Equipment required to be on hand:**

A. Hand sprayer w/minimum 2-gallons of water, or 10 lbs. ABC fire extinguisher, or 3/4" garden hose hooked to hydrant capable of delivering 5 gpm.

**4. Burn Ban:** If Ellsworth County Commissioners put a burn ban in affect, camp fires or bon fires will not be allowed until such time as the burn ban has been lifted.

**5. Out of control, campfires or bonfires: IF THE RULES ARE NOT FOLLOWED,** the person that started the fire, shall pay for the fire run as follows:

A. In the event a fire truck or trucks are dispatched to an illegal burn, or a burn that the rules were not followed, there will be a fee assessed by the responding Fire Departments of \$500.00 for each emergency vehicle that responds to the fire, plus any and all reasonable expenses associated with public and private vehicles, equipment, and supplies requested by the Fire Department in extinguishing said fire. The Fire Department within the area where the violation took place will do the billing for the fire for all Fire Departments if mutual aid is requested. The billing Fire Department will distribute the fees to the other Fire Departments once the fees are collected. The Fire Chief or Fireman in charge of extinguishing said fire will make the decision if mutual aid is needed.

All Rules and Regulations will be on hand with the Ellsworth County Clerk.

**The Fire Chief and/or his/her designee giving permission** to do a prescribed or control burn is only giving approval due to the wind and fire index meet the requirements of the rules. The due safety of the burn, and the following of the rules is the due responsibility of the person given permission to do the burn. Any burn that gets out of control is the sole responsibility of the person given approval to do the burn.