

Open Burning

Per Kansas law, open burning operation conditions must adhere to detailed guidelines as specified in Kansas Administrative Regulations 28-19-645, 28-19-646, 28-19-647 & 28-19-648. Violation of these regulations is subject to penalty.

Open Burning Operation Conditions and Burn Permit Requirements

Miami County requires burn permits for open burning in compliance with state statutes and administrative regulations. Burn permits are issued by the appropriate fire departments for those areas falling within their boundaries of coverage. Use the [rural fire protection map](#) to locate the appropriate department to contact for a burn permit.

Burn permits are issued at no cost; however, terms and conditions do apply. Violations of the terms and conditions may result in a fine of \$250 and assessment of all costs incurred by the fire department(s) extinguishing the fire upon which the violator is convicted.

Burn permits may be issued for a one-time burn or for up to a 30-day time period. During the term of the permit, burning may take place on more than one day, however the applicant must notify proper authorities each time the burn is started (i.e. all separate fires associated with the permit must be called in prior to being set). Notify both the appropriate fire station that issued the permit and the Miami County Sheriff's Office Dispatch at 913-294-3232 prior to starting each burn.

Required Information for Burn Permit Applicants:

- Location of the proposed open burning and the name, address and telephone number of the person responsible for the open burning;
- Estimated amount and nature of material to be burned;
- Proposed frequency, duration and schedule of the burning;
- Size of the area to which the burning will be confined;
- Method of igniting the material;
- Location of any public roadways within 1,000 feet of the proposed burn;
- Number and location of occupied dwellings within 1,000 feet of the proposed burn.

Open Burning Restrictions and Requirements:

- The fire department and/or fire chief will not be held responsible for any damages caused by the burning procedure.

- The person conducting the burning shall stockpile the material to be burned, dry it to the extent possible before it is burned, and assure that it is free of matter that will inhibit good combustion.
- Do not use tires, oil, or composition shingles to ignite or accelerate the fire.
- Do not burn anything that creates a dark smoke.
- Insurance coverage is required to cover any damages to property caused by applicants open burning.
- Burning is permitted from one hour after sunrise until one hour after sundown. No material may be added to the fire after two hours before sunset.
- Burning is prohibited during inclement or foggy conditions or on very cloudy days (defined as days with more than 0.7 cloud cover and with a ceiling of less than 2,000 feet).
- Surface wind speeds must be 5 mph and no more than 15 mph.
- Burning is prohibited within 1,000 feet of any occupied dwelling unless the occupant of that dwelling has been notified prior to the burn.
- Burning that creates a traffic or other safety hazard is prohibited. If burning is to take place within 1,000 feet of a roadway, the applicant / person conducting the burn must notify the highway patrol, sheriff's office, or other appropriate state or local traffic authority before the burning begins.
- If burning is to take place within one mile of an airport, the applicant / person conducting the burn must notify the airport authority before the burning begins.
- The applicant / person conducting the burn must insure that the burning is supervised until the fire is extinguished.
- Applicant/person conducting the burn can be fined \$250 for loss in control of the fire. A violator may also be assessed all cost incurred by the fire department(s) extinguishing the fire upon which the violator is convicted.
- A signed authorized burn permit must be presented to any authorized jurisdictional entity (law enforcement, fire department, etc.) upon their request.
- Stateimposed burning bans negate any issued burn permits for the duration of the burn ban.

<https://www.miamicountyks.org/607/Open-Burning>