**ORDINANCE NO. 1801**

 **AN ORDINANCE AMENDING Section 7-204 OF THE LA HARPE CITY CODE REGULATING OPEN BURNING WITHIN THE CITY OF LA HARPE, KANSAS.**

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

**Section 1:** That Section 7-204 be amended to read as follows:

**12-110 OPEN BURNING**

(a) It shall be unlawful to burn trash, rubbish, leaves, lumber, straw, or any other combustible materials in any street, avenue, alley, or lot within the designated fire limits of the City or within 15 feet of any building unless otherwise provided below.

(b) The City Clerk or City Code Enforcement Officer may issue a Burn Permit for a time period not to exceed ten (10) days to allow for the burning of leaves, grass clippings, brush, limbs, and tree stumps. There shall be no charge for the Burn Permit

(c) Any permitted burning shall be attended at all times by one or more adult persons and shall be conducted in compliance with all City ordinances and the Burn Permit restrictions.

(d) Nothing in this section shall be construed to prohibit the burning of wood, coal, or other approved fuels in a residential fireplace or stove, nor the burning of wood or charcoal for the purposes of cooking on private property.

(e) Nothing in this section shall be construed to prohibit the open burning of wood or charcoal in an approved fir pit container sold for home use outside of a residential structure, or in a constructed masonry, brick, or metal fire pit enclosure that does not exceed four (4) feet in diameter and contains walls that are no less than six (6) inches in height.

(f) The burning of lumber, tires, shingles, construction materials, or any oil based materials is strictly prohibited.

**Section 2.** That the existing Section 7-204 is hereby repealed.

**Section 3.** This Ordinance shall take effect and be in force from and after its publication one time in the official city newspaper.

 **PASSED BY THE COUNCIL THIS 8TH DAY OF NOVEMBER 2023.**

 **APPROVED BY THE MAYOR THIS 8TH DAY OF NOVEMBER 2023.**

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 **Ella Mae Crowell, Mayor**

ATTEST:

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**Michelle Altis, City Clerk**

Prepared and Approved by:

Frederick J Works

La Harpe City Attorney

4 East Jackson

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