



**OLATHE FIRE DEPARTMENT**  
 Fire Administration ■ 1225 S. Hamilton Circle ■ Olathe, KS 66061  
 Main: (913) 971-7900 ■ www.olatheks.org/fire



## Burn Permit Application

Address of Burn Site Location: \_\_\_\_\_

Property Owner Contact Name: \_\_\_\_\_

Emergency Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_

Company Name: \_\_\_\_\_ Office Phone Number: \_\_\_\_\_  
 (if applicable)

Company Emergency Number: \_\_\_\_\_

Olathe Fire Department requires an approved inspection of the burn site area prior to issuing a permit.  
 Please call 913-971-7900 to schedule inspection.

The reason for burning:

- |   |  |                                |
|---|--|--------------------------------|
| <input type="checkbox"/> Residential Burn Pit     | <input type="checkbox"/> Bonfire                 | <input type="checkbox"/> Other |
| <input type="checkbox"/> Residential Open Burning | <input type="checkbox"/> Commercial Open Burning |                                |

A description of the open burning operation, including the amount and nature of material to be burned; the frequency, duration and schedule of such burning; the size of the area to which the burning will be confined; and the method of igniting the material.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

It is the business's responsibility to ensure that conditions are in accordance with applicable State and Local fire regulations.

By signing this, I certify that I have received a copy of the Olathe Municipal Code 16.05-050 Section 307 fire regulations. I also agree to adhere to the requirements set forth in the fire codes.

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

# Olathe Municipal Code

## 16.05.150 Section 307 Amended – Open burning, Recreational Fires and Portable Outdoor Fireplaces.

Section 307 of the International Fire Code is hereby amended to read as follows:

### SECTION 307

#### OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

**307.1 General.** A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5.

**307.1.1 Prohibited open burning.** Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

**Exception:** Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the fire code official.

**307.1.2 Nature of material being burned.** Open burning is limited to natural and ordinary combustible materials. The burning of heavy smoke producing materials, including leaves, is prohibited. No processed or demolition debris construction wood products shall be burned.

**307.1.3 Meteorological conditions.** Open burning shall not be initiated until at least one hour after sunrise and shall be extinguished at least two hours prior to sunset. Burning shall be restricted to periods when surface wind speed is less than 15 m.p.h.

**307.1.4 Open burning operations near airports.** All burning operations within 1 mile of an airport must obtain approval from the airport authority prior to the burning.

**307.1.5 Commercial open burning operations.** Commercial open burning is defined as burning conducted on a commercial property, not including agricultural open burning described in 307.1.7. All commercial open burning permits will be required to have an air curtain destructor and pit.

**307.1.6 Agricultural open burning operations.** Agricultural burning is defined as the burning of vegetation such as grass, woody species, crop residue and other dry plant growth for agricultural purposes. **307.1.7 Residential open burning operations.** Residential open burning is defined as burning land clearance materials on a one- or two-family residential property.

**307.1.7 Residential open burning operations.** Residential open burning is defined as burning land clearance materials on a one- or two-family residential property.

**307.2 Permit required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application of such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

**Exception.** Permits are not required for recreational fires or portable outdoor fireplaces used in accordance with the manufacturer's instructions. Fires exempt from permits must still comply with Sections 307.1.2, 307.3, 307.4 and 307.5.

**307.2.1 Authorization.** Where required by state or local law or regulation, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed. Approvals from the Johnson County Health and Environment – Air Quality Division shall be included with the burn permit application where applicable.

**307.2.2 Permit validity.** Open burning permits have an operational period of up to three (3) days as noted on the permit unless restricted by state or local authorities. Permits shall not be transferable.

**307.3 Extinguishment authority.** When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.

**307.4 Location.** The location for open burning shall not be less than distances specified in Section 307.4 for the type of open burn being conducted.

**307.4.1 Residential open burning.** The location for residential open burning shall not be less than one hundred (100) feet from any structure, vehicle, fence or public roadway. The open burning shall not be within two hundred (200) feet of any structure which is not on the same property.

**Exception:** Fires in approved containers that are not less than thirty (30) feet from a structure or public roadway; and not less than one hundred (100) feet from any structure which is not on the same property.

**307.4.2 Commercial open burning.** The location for commercial open burning shall not be less than five hundred (500) feet from any structure or public roadway, and provisions shall be made to prevent the fire from spreading to within five hundred (500) feet from any structure or public roadway.

**307.4.3 Agricultural open burning.** The location for agricultural open burning shall not be less than two hundred (200) feet from any structure or public roadway, and provisions shall be made to prevent the fire from spreading to within two hundred (200) feet of any structure or roadway.

**Exception.** Where it is not feasible to maintain agricultural burning two hundred (200) feet from public roadways or structures on the same property, the fire code official shall have the authority to reduce setback requirements for special cases after verifying that adequate safety controls are in place

**307.4.2 Bonfires.** A bonfire shall not be conducted within fifty (50) feet of a structure, public road or combustible material. Conditions which could cause a fire to spread with fifty (50) feet of a structure, public road or combustible material shall be eliminated prior to ignition. Bonfire dimensions shall not exceed six (6) feet in diameter and six (6) feet in height.

**307.4.3 Recreational fires.** Recreational fires shall not be conducted within twenty-five (25) feet of a structure or combustible material. Conditions which would cause a fire to spread within twenty-five (25) feet of a structure or combustible material shall be eliminated prior to ignition.

**307.4.4 Portable outdoor fireplaces and firepits.** Portable outdoor fireplaces and firepits shall be used in accordance with the manufacturer's instructions and shall not be operated on a combustible deck or within fifteen (15) feet of a structure or combustible material.

**Exception:** Portable outdoor fireplaces and firepits used at one- and two-family dwellings shall be used in accordance with the manufacturer's instructions.

**307.5 Attendance.** Open burning, bonfires, recreational fires and the use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.