

City of Derby Burning Regulations

The Kansas Administrative Regulations 28-19-645 to 28-19-648 cover topics that are concerned with the type of material that can be burned. You are not permitted to burn anything that creates heavy smoke, including heavy oils, tires, and tarpaper.

Other State regulations include:

- You are not permitted to burn after sun down.
- You are not permitted to burn if the wind is less than 5 mph and greater than 15 mph.
- You are not permitted to burn within 1,000 feet of a dwelling.
- You are not permitted to burn within 1,000 feet of a roadway where the smoke may cause a traffic hazard.
- You are not permitted to leave a fire unattended.

In Sedgwick County you may only burn if you have a permit, and only at certain times depending on what you're burning or if you're burning after dark.

In the City of Derby, we follow the guidelines created by the 2018 International Fire Code.

- Open burning is expressly prohibited. There are some instances where burning may be allowed with permit, but the criteria is very strict.
- The burning of garden debris, burning of trash is not allowed.
- Burning of piles of limbs and brush by construction crews may be allowed if the piles are not within 300 feet of a structure or street. The Derby Fire & Rescue Department controls what and how big the piles of brush may be.
- Recreation fires where groups such as the Boy Scouts may have a recreational fire as long as a permit is obtained, the fire is controlled by a fire ring or container, the fire is not within 50 feet of a structure, and the fire is attended by an adult at all times and a water supply is close by.
- Ceremonial fires, such as the VFW burning old flags, is allowed as long as the burning is in a proper container and attended until the fire is out. We also require that we are notified of the burning.
- Individuals may not use their BBQ grill or chiminea to burn waster and garden material.

A violation of the 2018 International Fire Code is a Class C misdemeanor that can result in a fine of up to \$500 and up to 30 days confinement in jail.

Please note that though a container may not be specifically identified in our codes as being approved, if a fire officer deems a container unsafe or recreational fire is unsafe, that officer has the authority to terminate the permit and extinguish the fire.

If you have questions, please call Derby Fire Chief John Turner or Deputy Fire Chief Dave Hersh at 316-788-3773.