

ORDINANCE NO. _____

AN ORDINANCE prohibiting the open burning of household waste within Jackson County, Missouri, in accordance with state air quality laws, and establishing penalties for violations.

WHEREAS, the open burning of household waste produces harmful air pollutants, including particulate matter and toxic emissions that pose risks to public health and the environment;

WHEREAS, the improper burning of trash creates fire hazards and nuisance conditions that negatively impact neighboring properties and the broader community;

WHEREAS, the State of Missouri regulates air quality through the Missouri Air Conservation Law, RSMo § 643.010 et seq., and associated regulations including 10 CSR 10-6.045 governing open burning;

WHEREAS, prohibiting the burning of household waste is consistent with established practices in surrounding communities and supports regional air quality and public safety efforts;

NOW THEREFORE, BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section 1. Purpose.

The purpose of this ordinance is to protect public health, safety, and environmental quality by prohibiting the open burning of household waste.

Section 2. Authority.

This ordinance is adopted pursuant to the authority granted under RSMo Chapters 49 and 192, and in alignment with the Missouri Air Conservation Law, RSMo § 643.010 et seq., and regulations promulgated thereunder, including 10 CSR 10-6.045.

Section 3. Definitions.

Household Waste: refuse generated from residential or commercial sources. Open Burning: combustion emitting directly into the air. Recreational Fire: small controlled fire for pleasure or cooking. Clean Wood: untreated wood.

Section 4. Prohibition.

It shall be unlawful to burn household waste, including plastics, rubber, treated wood, garbage, construction debris, or furniture.

Section 5. Compliance with State Law.

All burning activities must comply with Missouri Department of Natural Resources regulations. Violations may be referred for enforcement under RSMo § 643.151 and related provisions.

Section 6. Permitted Fires.

Recreational fires, cooking fires, agricultural burning where permitted, and authorized training fires are allowed, provided no nuisance or hazard is created.

Section 7. Nuisance.

Any fire producing excessive smoke or hazard may be ordered extinguished.

Section 8. Enforcement.

Enforced by county officials, fire districts, and law enforcement. Violations may be referred to state authorities.

Section 9. Penalties.

Violations subject to fines up to \$500 per offense; each day constitutes a separate offense.

Section 10. Severability.

Invalid provisions do not affect remaining sections.

Section 11. Effective Date.

Effective upon passage and approval.