

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 441, Page 1, Section A, Line 3, by  
2 inserting after all said section the following:

3  
4 ~~"[49.266. 1. The county commission in all noncharter counties may by order or ordinance~~  
5 ~~promulgate reasonable regulations concerning the use of county property, the hours, conditions,~~  
6 ~~methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking~~  
7 ~~thereon.~~

8 ~~2. Violation of any regulation so adopted under subsection 1 of this section is an~~  
9 ~~infraction.~~

10 ~~3. Upon a determination by the state fire marshal that a burn ban order is appropriate~~  
11 ~~for a county because:~~

12 ~~(1) An actual or impending occurrence of a natural disaster of major proportions~~  
13 ~~within the county jeopardizes the safety and welfare of the inhabitants of such~~  
14 ~~county; and~~

15 ~~(2) The U.S. Drought Monitor has designated the county as an area of severe,~~  
16 ~~extreme, or exceptional drought, the county commission may adopt an order or~~  
17 ~~ordinance issuing a burn ban, which may carry a penalty of up to a class A~~  
18 ~~misdemeanor. State agencies responsible for fire management or suppression~~  
19 ~~activities and persons conducting agricultural burning using best management~~  
20 ~~practices shall not be subject to the provisions of this subsection. The ability of an~~  
21 ~~individual, organization, or corporation to sell fireworks shall not be affected by the~~  
22 ~~issuance of a burn ban. The county burn ban may prohibit the explosion or ignition~~  
23 ~~of any missile or skyrocket as the terms "missile" and "skyrocket" are defined by the~~  
24 ~~2012 edition of the American Fireworks Standards Laboratory, but shall not ban the~~  
25 ~~explosion or ignition of any other consumer fireworks as the term "consumer~~  
26 ~~fireworks" is defined under section 320.106.~~

27 ~~4. The regulations so adopted shall be codified, printed and made available for~~  
28 ~~public use and adequate signs concerning smoking, traffic and parking regulations~~  
29 ~~shall be posted.]~~

30  
31 49.266. 1. The county commission in all noncharter counties [of the first, second or fourth  
32 classification] may by order or ordinance promulgate reasonable regulations concerning the use of  
33 county property, the hours, conditions, methods and manner of such use and the regulation of  
34 pedestrian and vehicular traffic and parking thereon.

35 2. Violation of any regulation so adopted under subsection 1 of this section is an infraction.

36 3. Upon a determination by the state fire marshal that a burn ban order is appropriate for a

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 county because:

2 (1) An actual or impending occurrence of a natural disaster of major proportions within the  
3 county jeopardizes the safety and welfare of the inhabitants of such county; and

4 (2) The U.S. Drought Monitor has designated the county as an area of severe, extreme, or  
5 exceptional drought, the county commission may adopt an order or ordinance issuing a burn ban,  
6 which may carry a penalty of up to a class A misdemeanor. State agencies responsible for fire  
7 management or suppression activities and persons conducting agricultural burning using best  
8 management practices shall not be subject to the provisions of this subsection. The ability of an  
9 individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a  
10 burn ban. The county burn ban may prohibit the explosion or ignition of any missile or skyrocket as  
11 the terms "missile" and "skyrocket" are defined by the 2012 edition of the American Fireworks  
12 Standards Laboratory, but shall not ban the explosion or ignition of any other consumer fireworks as  
13 the term "consumer fireworks" is defined under section 320.106.

14 4. The regulations so adopted shall be codified, printed and made available for public use  
15 and adequate signs concerning smoking, traffic and parking regulations shall be posted."; and

16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.