

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute
2 for Senate Bill No. 523, Page 3, Section 45.030, Line 3, by inserting after all of said section and line
3 the following:
4

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

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

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

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

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

29 ~~4. The regulations so adopted shall be codified, printed and made available~~
30 ~~for public use and adequate signs concerning smoking, traffic and parking~~
31 ~~regulations shall be posted.]~~
32

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

Action Taken _____ Date _____

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

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

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

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

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

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