

HOUSE BILL 542

Introduced by Kadas

2/01	Introduced
2/01	Referred to Local Government
2/02	First Reading
2/21	Hearing
2/21	Tabled in Committee

1 HOUSE BILL NO. 542
2 INTRODUCED BY Rada

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY
5 COMMISSIONERS TO ESTABLISH A COUNTYWIDE OPEN-BURNING PERMIT
6 PROGRAM; AND PROVIDING AN EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 NEW SECTION. Section 1. Short title. [Sections 1
10 through 6] may be cited as the "Unified Open-Burning Permit
11 Act".

12 NEW SECTION. Section 2. Purpose. The purpose of
13 [sections 1 through 6] is to provide for a countywide
14 open-burning permit program that would eliminate the need
15 for several agencies issuing permits at different times of
16 the year, would ensure adequate public safety from
17 uncontrolled fires, and would ensure compliance with air
18 quality standards.

19 NEW SECTION. Section 3. County commissioners to
20 establish program -- regulations governing program. (1) The
21 board of county commissioners may establish a program to
22 regulate open burning within the county through the issuance
23 of written permits. The program must provide for the
24 conditions under which the permits will be issued, the cost
25 of the permits, the availability of permits, and the

1 issuance of tickets to violators.

2 (2) Permits issued by the county may replace burning
3 permits issued by other public agencies, provided that the
4 regulations of the other agencies governing burning permits
5 are incorporated in the provisions of the county program.

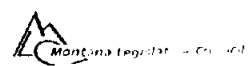
6 NEW SECTION. Section 4. Participation by
7 municipalities. The governing body of a municipality located
8 within the boundaries of a county that establishes a program
9 in accordance with [section 3] may participate in the
10 program by allowing the county permits to replace permits
11 issued by the municipality's governing body.

12 NEW SECTION. Section 5. Cooperation with other
13 agencies. The board of county commissioners may enter into
14 an interlocal agreement with any public agency for the
15 purpose of coordinating fire control concerns, clean air
16 standards, law enforcement responsibilities, and other
17 issues pertaining to a county open-burning program.

18 NEW SECTION. Section 6. Violations. A person who
19 violates any of the provisions of [sections 1 through 5] is
20 guilty of a misdemeanor.

21 NEW SECTION. Section 7. Effective date. [This act] is
22 effective July 1, 1991.

-End-



INTRODUCED BILL
HB 542