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OLDHAM COUNTY EMERGENCY MANAGEMENT

OPEN BURN RESTRICTIONS BEGIN MAY 1

April 26, 2021

Due to being designated by the Federal Environmental Protection Agency as “non-attainment” air quality for ozone and particulate matter because pollution levels have exceeded those permitted by the Clean Air Act, beginning May 1, 2021 and continuing until September 30, 2021 open burning is prohibited in Oldham County.

All questions concerning Open Burning should be addressed to the KY Division of Air Quality at **502-782-6592** or via email at burnlaw@ky.gov. Additional information can also be found on the Department of Environmental Protection website at: <http://bit.ly/OpenBurningKY>

Violating state air quality regulations could result in a fine of up to \$25,000 per day.

Attached is the Oldham County Open Burn Ordinance that references what kind of burning is allowed in Oldham County during the open burn restriction period. The complete ordinance can be found on the county’s website at www.oldhamcountyky.gov Scroll to the bottom of the front page and click on Code of Ordinances. Then click on Title IX: General Regulations, Chapter 92, Fires and Smoking.

§ 92.04 ADDITIONAL RESTRICTIONS.

(A) Additional restrictions for counties, or portions of counties, designated or previously designated non-attainment for particulate matter for those counties, or portions of counties, which are, or were previously, designated moderate non-attainment for ozone pursuant to 401 KAR 51:010, or those counties, or portions of counties, which are or were designated non-attainment for the eight-hour ozone or PM_{2.5} (particulate matter) national ambient air quality standard, pursuant to 401 KAR 51:010. Fires may be set according to provisions of §92.03 except during the months of May, June, July, August and September.

(B) During these months, the only open burning activities allowed are:

- (1) Fires set for the cooking of food for human consumption;
- (2) Fires set for prevention of a fire hazard, including disposal of dangerous materials if no safe alternative is available;
- (3) Fires set for recognized agricultural, silviculture, range or wildlife management practices;
- (4) Fires set for the purpose of disposing of accidental spills or leaks of crude oil, petroleum products or other organic materials, and the disposal of absorbent material used in their removal, if no other economically feasible means of disposal is available and practical. Permission shall be obtained from the Cabinet and the County Fiscal Court prior to burning;
- (5) Fires set for recreational or ceremonial purposes;
- (6) Open burning shall comply with the fire hazard season requirements of KRS 149.400; and
- (7) No open burning will be allowed if the Governor of the state or the County Judge-Executive has declared a fire emergency.

(Ord. KOC 05-320-315, passed 12-6-2005)