

SECOND REGULAR SESSION

HOUSE BILL NO. 1269

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LICHTENEGGER.

4195H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 49.266, RSMo, and to enact in lieu thereof one new section relating to regulations by a county, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 49.266, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 49.266, to read as follows:

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

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

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

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

(2) The U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought, the county commission may adopt an order or ordinance issuing a burn ban, which may carry a penalty of up to a class A misdemeanor. State agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban. The county burn ban may prohibit the explosion or ignition of any missile or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 skyrocket as the terms "missile" and "skyrocket" are defined by the 2012 edition of the American
19 Fireworks Standards Laboratory, but shall not ban the explosion or ignition of any other
20 consumer fireworks as the term "consumer fireworks" is defined under section 320.106.

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

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