THE NEWTON COUNTY COMMISSION
COURT ORDER

Number 2026-11
An Ordinance
County-Wide Burn Ban
September 3rd, 2026 – Until Further Notice

COMES NOW the Newton County Commission and having before it the matter of the Imminent Threat of Disaster by the way of fire, and

WHEREAS, the grassland and cropland of Missouri form an important part of our economy, and provide for protection of watersheds, forage for livestock, refuge for wildlife, and recreational opportunities. Wildfires endanger these resources, real and personal property, and the lives of residents and visitors in these areas. Extremely dry, hot, and windy weather conditions with temperatures above normal have created an extreme fire hazard in the grassland and cropland of Missouri. Fires have been reported throughout the county and have caused substantial damage. Once started, these fires are difficult to control and strain both paid and volunteer fire department manpower and resources, and

WHEREAS, Missouri RSMO 49.266 authorizes County Commissions to enact a county burn ban when 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 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.

WHEREAS, On 9/3/26 the U.S. Drought Monitor added Newton County Missouri to the "Severe Drought" D2 Status

WHEREAS, For the period of August 10th through September 2nd, 2026, Newton County Fire Departments have responded to 64 Vegetative fires. For reference during the same time period in 2025, Newton County Fire Departments responded to 38 Vegetative Fires; for the same time period in 2024 Newton County Fire Departments responded to 23 vegetative fires and during the same time period in 2023 Newton County Fire Departments responded to 8 vegetative fires.

WHEREAS The National Weather Service lists Newton County under a Heat Advisory through September 5th 2026. The National Weather Service Fire Weather Planning for Southwest Missouri including Newton County states: the hot and dry conditions will persist at least through the rest of the week. Daily temperatures in the mid 90 to near 100 degrees with minimal rain chances will likely produce deteriorating drought categories and increase fire danger.

WHEREAS, On **9/2/26** the Missouri Fire Marshal's Office confirmed a Burn Ban is appropriate for Newton County.

WHEREAS, the dry condition, above-normal temperatures and fire danger will continue unabated until sufficient rainfall occurs across the area, and

THEREFORE, be it hereby ordered by the Newton County Commission that the following acts are prohibited within the boundaries of this County by all citizens and visitors:

1. Careless discard of lighted materials, including cigarettes, cigars, and tobacco from pipes. The discard shall be in a manner to prevent threat of smoldering remains initiating a fire.

2. Setting, starting, igniting, maintaining, spreading, fueling or failing to extinguish or taking precautions to prevent the spread of an open fire. An **"open fire"** shall be defined as the burning of fields, pastures, stubble, vegetation, debris, waste, trash, garbage, structures or any other material or matter when the resulting fire is not contained within a safe and fire proof container, with such container being constructed of fire resistant materials and with a lid, top, or door that confines the sparks, ashes and embers of the fire safely within the container.

3. Building, maintaining, attending or using any open fire or camp fire except in permanent stoves, fireplaces, or barbecue grills.

4. Prescribed burning of all fence rows, fields, wild land, ravines, trash and debris.

Prescribed Burning may be exempted from this order where such burning is necessary for crop survival and has been approved by the Fire Chief of the area in which the prescribed burning is to be conducted. Any authorized Prescribed Burning shall be reported in advance of the scheduled burning by the Fire Chief issuing the authorization to the Newton County Dispatch Center and the Newton County Emergency Management Director.

Residents with questions concerning the provisions of the Burn Ban should contact the Newton County Emergency Management Director at (417) 451-4357 or their local Fire Department.

NOW, THEREFORE, IT IS FURTHER ORDERED that the knowing and willful violation of this Ordinance shall constitute a misdemeanor and any person convicted of such violation shall be punished as provided by law.

FURTHER, MAY IT BE RESOLVED that this Ordinance shall be in force and effect until action is taken by The Newton County Commission to terminate.

BY ORDER of the Newton County Commission on this 3rd day of September, 2026.

Daniel Swem, Presiding Commissioner
Mark Knight, District 1 Commissioner
Ron Wallace, Interim Commissioner

State of Missouri
County of Newton County

I, Tami Owens, Clerk of the Newton County Commission, do hereby certify the above and foregoing is a true copy of the Court Order in the cause therein mentioned as the same appears in Book 59, Page 151 of the Newton County Commission Record maintained in my office at Neosho, Missouri.