



OPEN BURNING REQUIREMENTS FOR RECREATIONAL FIRES

The Ohio Fire Code is the minimum standard for fire safety in the State of Ohio. These rules are promulgated and adopted by the Ohio Division of State Fire Marshal and become statewide law that the Municipality of Germantown must comply with. In addition, the Ohio Administrative Code regulates open burning activities and is enforced by the Ohio EPA and locally by the Regional Air Pollution Control Agency.

Germantown Fire-EMS receives many requests for information related to open burning requirements. The most common request is for information concerning the requirements for having a recreational fire within the Municipal limits.

OHIO RULES AND LAWS DEFINE A RECREATIONAL FIRE AS:

An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, cooking, religious, ceremonial, warmth or similar purposes.

The Ohio Administrative Code contains additional provisions for open burning within restricted areas that apply to the Municipality of Germantown, because of our population and the fact that we are located within an incorporated area. **These rules state yard waste materials may not be burned at any time.**

Residents may have a recreational fire subject to the following rules and regulations:

- The only material that can be burned is clean dry wood as a fuel source.
(No rubbish or yard waste or other prohibited materials defined by OAC may be burned at anytime).
- If the fire is contained in an approved container such as an outdoor fireplace, barbecue pit, etc. the fire must be at least 15 feet from a structure or combustible materials.
- For an open fire not contained, the fire must be at least 25 feet from a structure, wood fence, neighboring structure or combustible materials. Conditions that could cause a fire to spread within 25 feet of the fire must be eliminated prior to ignition of a fire.
- **The fire must be constantly attended while burning and must be fully extinguished if it is not attended.**
- A portable fire extinguisher with a minimum of 4A rating or garden hose, bucket of sand or other suitable means for extinguishing the fire must be provided.
- **The fire must not create an offensive or objectionable condition that interferes with the neighboring residents' use and enjoyment of their property. If this occurs, Germantown Fire-EMS is required to order the person responsible for the fire to extinguish the fire or extinguish it itself.**
- **Germantown Fire-EMS is required to extinguish fires, which create hazardous conditions.**

A very common complaint from neighbors is when recreational fires are not conducted in accordance with the rules and regulations, or when the environmental conditions cause the smoke to migrate off the property into the residence of neighboring property. Persons with chronic breathing problems may be affected by these conditions.

Another issue that occurs associated with recreational fires is noise and disturbance to the surrounding neighborhood when conducted during late evening hours. This is a police matter and will be dealt with by Germantown Police Department.

If Germantown Fire-EMS orders you to extinguish your fire due to non-compliance with the rules and regulations, or the fire creates an offensive or objectionable condition, you are bound by Ohio law to comply with the request. Failure to do so may result in you being charged with violation of the open burning regulations.

You may also refer to the following for additional information on open burning:

Regional Air Pollution Control Agency
www.rapca.org

Ohio Fire Marshal's Office
www.com.ohio.gov/fire/

Ohio EPA
www.epa.state.oh.us

Ohio EPA-Open Burning
www.epa.ohio.gov/dapc/general/openburning.aspx

