



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

Before You Light It... Know Ohio's Open Burning Regulations

Why is open burning a problem?

Open burning can release many kinds of toxic fumes. Leaves and plant materials send aloft millions of spores when they catch fire, causing many people with allergies to have difficulty breathing.

The pollutants released by open burning also make it more difficult to meet health-based air quality standards, especially in or near large cities. The gases released by open burning can also corrode metal siding and damage paint on buildings.

What open burning is never allowed?

Under Ohio law, these materials may not be burned anywhere in the state at any time:

- garbage—any wastes created in the process of handling, preparing, cooking or consuming food;
- materials containing rubber, grease and asphalt or made from petroleum, such as tires, cars and auto parts, plastics or plastic-coated wire; and
- dead animals—unless approved for control of disease by a governing agency.

Other restrictions:

- Open burning is not allowed when air pollution warnings, alerts or emergencies are in effect.
- Fires cannot obscure visibility for roadways, railroad tracks or air fields.
- No wastes generated off the premises may be burned. For example, a tree trimming contractor may not haul branches and limbs to another site to burn.

Does Ohio EPA ever allow exceptions to the rules?

Under certain circumstances, yes. However, to burn a prohibited material or set a fire in a restricted area, you must receive written permission from Ohio EPA *before* you begin burning. This may take two weeks.

Can a community regulate open burning?

Yes. However, local ordinances cannot be less strict than the state law.

What happens if I'm caught illegally open burning?

Ohio EPA has the authority to enforce the state's open burning laws. Violations can result in substantial penalties. If you have any questions, or would like to report a suspected open burning incident, contact your Ohio EPA district office or your local air pollution control agency. See the map in this brochure for the agency to contact in your area.

Health Concerns

Burning household waste produces many toxic chemicals and is one of the largest known sources of dioxin in the nation. Other air pollutants from open burning include particulate matter, sulfur dioxide, lead and mercury.

These pollutants have been linked to several health problems, including asthma, respiratory illnesses, nervous system damage, kidney and liver damage, and reproductive or developmental disorders.

What You Can Do Instead of Open Burning

- Reduce the amount of waste you generate.
- Reuse items in another way.
- Recycle - Contact your waste disposal provider about curb-side pickup or drop-off locations for bulky or hazardous items.
- Compost yard trimmings and food scraps, while creating a natural, free fertilizer.



For a complete copy of Ohio's open burning regulations, contact

Ohio EPA
Division of Air Pollution Control
P.O. Box 1049
Columbus, OH 43216-1049
(614) 644-2270

epa.ohio.gov/dapc/general/openburning



Before You Light It... Know Ohio's Open Burning Regulations

Open burning is any time you light an outdoor fire without a chimney or stack.

When burning, refuse in burn barrels or open piles, the potential cost to your health, your home, your neighbors and your environment far exceeds the price of adequate collection services.

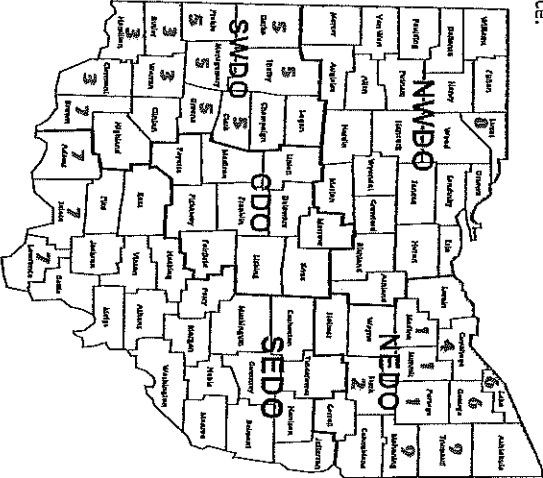
Protect yourself, your neighbors and your wallet by knowing the rules—what you can burn and where.

What can I burn? The following open fires are allowed in Ohio

If you live in a county where there is a number on the map, contact the local air agency that is identified. In all other counties, contact an Ohio EPA district office.

Local Air Pollution Control Agencies

1. Akron Regional Air Quality Management District
(800) 589-2480
araqmd.org
2. Canton Division of Air Pollution Control
(330) 489-3385
cantonhealth.org/apc/
3. Southwest Ohio Air Quality Agency
(800) 889-0474
southwestohioair.org
4. Cleveland Division of Air Quality
(216) 664-2297
clevealandhealth.org/network/air_quality/air_quality.php
5. Regional Air Pollution Control Agency
(800) 458-2115
rapca.org
6. Lake County Air Pollution Control
(440) 550-2543
lcpd.org/air-quality/
7. Portsmouth Air Pollution Control
(740) 353-5156
portsmouthohio.org/health/air-division/
8. Toledo Division of Environmental Services
(419) 936-3015
http://toledo.oh.gov/services/public-utilities/
environmental-services/air/
9. Mahoning-Tuscarora Air Pollution Control Agency
(330) 743-3333
ychd.com/Services/AirPollution.aspx



Ohio EPA District Offices

- ODO** Central District Office
(800) 686-2330* (614) 728-3778
- NEDO** Northeast District Office
(800) 686-6330* (330) 963-1200
- NWDO** Northwest District Office
(800) 686-6930* (419) 352-8461
- SEDO** Southeast District Office
(800) 686-7330* (740) 385-8501
- SWDO** Southwest District Office
(800) 686-8930* (937) 285-6357

* Toll-free numbers are for calls within Ohio.

TYPE OF FIRE	INSIDE A VILLAGE OR CITY If generated on property	OUTSIDE A VILLAGE OR CITY If generated on property
Barbecues, campfires, cookouts	Wood stack no larger than 2 ft. high x 3 ft. wide. Use clean, seasoned firewood or equivalent.	Wood stack no larger than 2 ft. high x 3 ft. wide. Use clean, seasoned firewood or equivalent.
Agricultural waste	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, leaves, grass, shrubbery and material from crop or livestock production. This includes fence posts and scrap lumber, but does not include buildings, land clearing waste, dead animals or animal waste. Fire must be more than 1,000 feet from neighbor's inhabited building. <i>Must notify Ohio EPA in advance.</i>	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, weeds, grass, shrubbery and material from crop or livestock production. This includes fence posts and scrap lumber, but does not include buildings, land clearing waste, dead animals or animal waste. Fire must be more than 1,000 feet from neighbor's inhabited building. <i>Request permission from Ohio EPA if pile greater than 20 ft. wide x 10 ft. high (4,000 cubic feet). This may take two weeks.</i>
Land-clearing waste	Not permitted in city limits.	Plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and crop residues. <i>With prior written permission from Ohio EPA. This may take two weeks.</i>
Residential waste	Not permitted in city limits.	Plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and crop residues. Also wastes such as wood or paper products that are generated by one-, two-, or three-family residences. Fire must be more than 1,000 feet from neighbor's inhabited building. <i>Request permission from Ohio EPA if pile greater than 10 ft. x 10 ft. x 10 ft. This may take two weeks.</i>
Ceremonial fires	Wood stack no larger than 5 ft. high x 5 ft. wide. Duration no longer than three hours. Use clean, seasoned firewood or equivalent. <i>Must notify Ohio EPA in advance.</i>	Wood stack no larger than 5 ft. high x 5 ft. wide. Duration no longer than three hours. No notification required.
Occupational fires: welding torches, heating tar, heating for warmup of outdoor workers and strikers	Use clean, seasoned firewood. For example, a heating fire contained in a 55-gallon drum.	Use clean, seasoned firewood. For example, a heating fire contained in a 55-gallon drum.
Firefighter training, Explosive material disposal	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>
Horticultural silvicultural range or wildlife management practices	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>	<i>With prior written permission from Ohio EPA. This may take two weeks.</i>
Diseases or pest control	Local health department, Ohio Department of Agriculture or U.S. Department of Agriculture verifies to Ohio EPA that open burning is the only appropriate control method and must notify Ohio EPA in advance.	Local health department, Ohio Department of Agriculture or U.S. Department of Agriculture verifies to Ohio EPA that open burning is the only appropriate control method.

- * Villages and cities are considered "restricted areas," which include:
- within the boundaries of any municipal corporation;
 - within corporation limits and a one-mile zone outside any municipal corporation having a population of 1,000 to 10,000; and
 - within corporation limits and a one-mile zone outside any municipal corporation with a population of more than 10,000.

Call your local municipality for corporation boundaries.

Each year, there are more than 1,000 wildfires in the state of Ohio.

Wildfires in Ohio threaten and cause damage to homes, private property, trees and landscapes. More importantly, lives are placed at risk.

Most of these fires are preventable.

Most of Ohio's wildfires are the result of arson and careless *open-burning (burning of trash, debris and brush)*.

Ohio Law prohibits Open-Burning in the spring and fall.

Open-burning is particularly dangerous in the spring and fall, when the leaves are on the ground, the grass is not green and the weather is warm, dry and windy. *As a result, open burning in Ohio is prohibited in unincorporated areas in March, April, May, October, and November, 6 am to 6 pm.*

Prescribed fire can be used as a tool to eliminate undesirable vegetation and reduce hazardous fuel levels.

When managed carefully, *prescribed fire (an intentionally or naturally ignited fire that burns under specific conditions, in a predetermined area, to attain planned resource management objectives)* can stimulate the growth of native vegetation and reduce fire hazards brought on by the accumulation of dead vegetation.

Only Certified Prescribed Fire Managers can conduct prescribed fires in Ohio during the spring and fall.

To conduct a prescribed fire when open-burning is prohibited, an Ohio Certified Prescribed Fire Manager must request a waiver from Ohio Department of Natural Resources, Division of Forestry.

Smoke waivers from the Ohio Environmental Protection Agency (OEPA) are required for most prescribed fires and open burns.

Check with the Ohio EPA for more information on smoke laws in your area.

Questions?

To learn more about the Division of Forestry's prescribed fire regulations, visit:

ohiodnr.com/forestry

Or, contact:

Ohio Department of Natural Resources

Division of Forestry

1-877-247-8733

forestry@dnr.state.oh.us

Remember! To burn between 6 am and 6 pm in the months of March, April, May, October or November, you must be an Ohio Certified Prescribed Fire Manager and you must have a waiver from the Division of Forestry.



Ohio's Fire Laws:

What you need to know about ODNR's fire laws before conducting prescribed fires & open burns in Ohio.



Ohio Department of Natural Resources

Division of Forestry

What is the Difference between an Open Burn and a Prescribed Fire?

In Ohio, most outdoor burning in unincorporated (rural) areas is prohibited in the months of March, April, May, October and November between 6 am and 6 pm. This ban applies to both **Open Burns** and **Prescribed Fires**.

The term "Open Burns" refers to debris, brush and trash fires. Open burns are typically fires that are used to get rid of waste or debris. No open burns are allowed when the burn ban is in effect.

"Prescribed Fires" refers to fires that are intentionally lit, under predetermined conditions, to meet various resource management objectives, such as vegetation regeneration, forest fuels reduction, or wildlife management. Prescribed fires may be conducted during the burn ban, but only with the permission of the Chief of the Division of Forestry.

Outdoor burning in Ohio is regulated by:

- Ohio Department of Natural Resources (ODNR), Division of Forestry.
- Ohio Environmental Protection Agency (OEPA).

OEPA'S OUTDOOR BURNING LAWS:

The Ohio Environmental Protection Agency regulates smoke emissions from outdoor burning. Contact your local OEPA District Office for more information on OEPA smoke regulations, or, online at: www.epa.state.oh.us

ODNR'S OUTDOOR BURNING LAWS:

ODNR Division of Forestry law, ORC 1503.18, bans outdoor burning statewide in unincorporated areas in the spring and fall between 6 am and 6 pm.

To help prevent wildfires, all open burning and prescribed fires are prohibited in Ohio in the months of March, April, May, October, and November, between 6 am and 6 pm.

Section C of this law allows the Chief of the

Division of Forestry to waive the ban.

It is the Division of Forestry's policy to only waive this ban for individuals that have been certified by the Division as a Certified Prescribed Fire Manager. There is no charge for the waiver, but it must be requested in writing by the Certified Prescribed Fire Manager.

Waivers will only be granted for prescribed fires that have a completed burn plan in place prior to the burn. No waivers will be granted for debris, trash or brush burning, or any other kind of open burning.

Interested in becoming an Ohio Certified Prescribed Fire Manager?

To be recognized as an Ohio Certified Prescribed Fire Manager, you must either be qualified under the National Wildfire Coordinating Group as a Prescribed Fire Burn Boss, Type II OR complete at least one of the two following courses:

- *Ohio's Certified Prescribed Fire Manager Course*
- *The Nature Conservancy's "Workshop on Ecological Burning"*

The Ohio Certified Prescribed Fire Manager course is offered annually through ODNR and covers various topics, such as:

- Laws, Rules, and Procedures Affecting Prescribed Fire in Ohio
- Ohio Fire Ecology
- Prescribed Fire Planning Process
- Firing Methods
- Smoke Management Techniques
- Burn Management
- Contingency Planning
- Fire Behavior Predictions
- Burn Plan Development
- Field Exercises

For information on upcoming courses, contact the Division of Forestry:

1-877-247-8733, or: www.ohiodnr.com/forestry

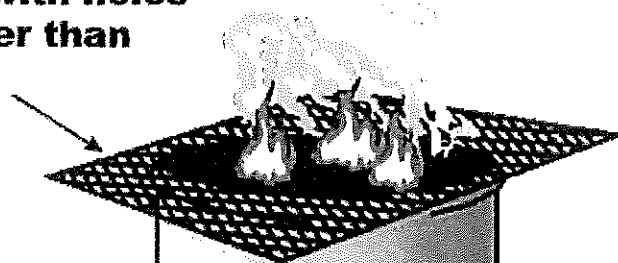
Checklist for Conducting a Prescribed Fire during the Spring and Fall:

- ✓ Become an Ohio Certified Prescribed Fire Manager. All prescribed fires that are conducted when open burning is prohibited must have a certified prescribed fire manager on site.
- ✓ Complete a burn plan. Burn plans must meet standards set by ODNR Division of Forestry and must be on-site and followed the day of the burn.
- ✓ Submit a request for a burn waiver from ODNR Division of Forestry. This waiver is required if you plan to conduct a prescribed burn in March, April, May, October or November between 6 am and 6 pm. No waivers are granted during this time for open burns (trash fires, brush fires, etc.).
- ✓ Know and comply with your local OEPA smoke management requirements. OEPA has detailed regulations regarding the smoke emissions from prescribed fires and open burns. Contact your local OEPA District Office for information and instructions on how to comply with these regulations.
- ✓ Wait until the weather conditions are right. Burn only on a day where the weather conditions match those described in the plan.
- ✓ Notify local authorities on burn day. When weather conditions permit the prescribed fire, notify local police and fire departments that you will be burning.

Burn Barrel Specifications

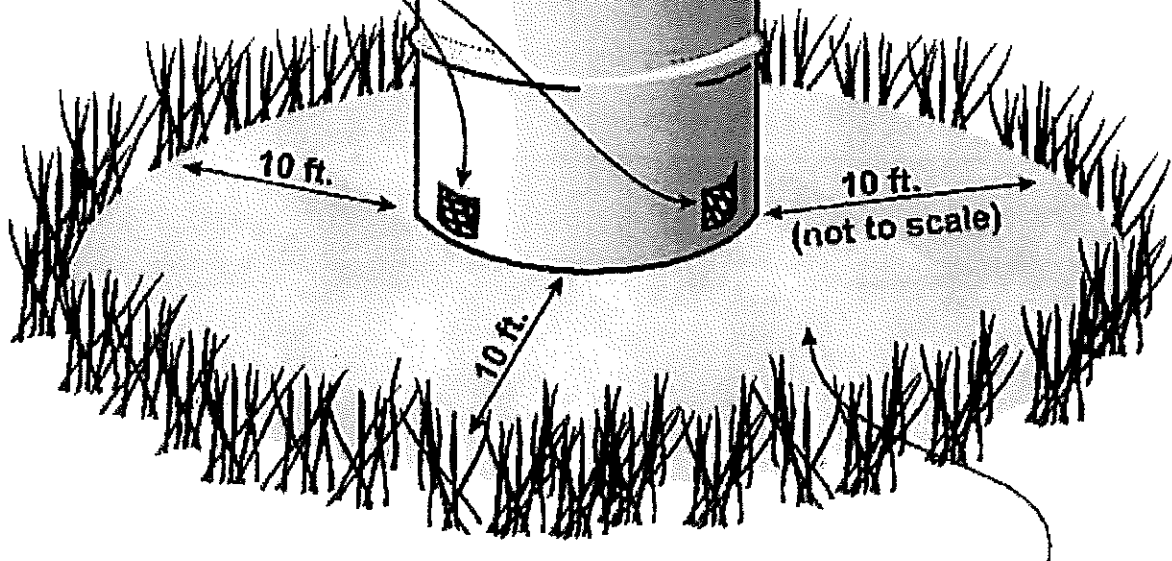
NOTE: Outdoor debris burning is prohibited from 6AM to 6PM during March, April, May, October, and November even if you use a proper burn barrel.

Expanded metal screen with holes not larger than 5/8 inch



Metal barrel in good condition

3 evenly-spaced 3-inch square vents, backed by metal screen



Ground cleared down to mineral soil or gravel at least 10 feet on each side of incinerator

visions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

(a) **307.4.1 Bonfires.** A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

(b) **307.4.2 Recreational fires.** Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

(c) **307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one- and two-family dwellings.

(5) **307.5 Attendance.** Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with *paragraph (F)(906) of rule 1301:7-7-09 of the Administrative Code* with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

**(G) SECTION 307
OPEN BURNING, RECREATIONAL FIRES
AND PORTABLE OUTDOOR FIREPLACES**

(1) **307.1 General.** A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this paragraph.

(a) **307.1.1 Prohibited open burning.** Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

(2) **307.2 Permit required.** A permit shall be obtained from the fire code official in accordance with *rule 1301:7-7-01 of the Administrative Code* prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

(a) **307.2.1 Authorization.** Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

(3) **307.3 Extinguishment authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

(4) **307.4 Location.** The location for open burning shall not be less than 50 feet (15 240 mm) from any structure, and pro-

