

OPEN BURNING RULES

The Ohio Fire Code (2011 Ed.) is the minimum standard for fire safety in the State of Ohio. These rules are adopted by the Ohio Division of State Fire Marshal and become statewide law that the City of Waterville and portions of Waterville Township must comply with. In addition, the Ohio Administrative Code (OAC) regulates open burning activities and is enforced by the Ohio Environmental Protection Agency and locally by the Regional Air Pollution and Control Agency. The Waterville Fire Department receives many requests for information concerning the requirements for having a recreational fire within our City limits.

The Ohio Administrative Code contains additional provisions for open burning **within restricted areas** that applies to the City of Waterville and the portion of Waterville Township under the jurisdiction of the City Fire Department. A "restricted area" is considered within the corporation boundaries, and a 1,000-foot zone outside any municipal corporation having a population of 1,000 to 10,000. **REFER TO THE ATTACHED TABLE FROM THE OHIO EPA FOR CLARIFICATION ON THE OPEN BURNING LIMITS.**

The Ohio Fire Code defines 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, religious, ceremonial, cooking, warmth or similar purposes.

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 yard waste or rubbish materials or prohibited materials defined by the OAC may be burned at anytime.
- If the fire is contained in an approved container such as an outdoor fireplace (i.e., metal or stone portable container, barbecue pit, etc.) the fire must be at least 15 feet from a structure or combustible materials.
- For a recreational fire not contained, the fire must be at least 20 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 attended while burning and must be extinguished if it is not attended.
- A portable fire extinguisher, 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, the Fire Department is required to request the person responsible for the fire to extinguish the fire or extinguish it itself. The Fire Department is required to extinguish fires, which create hazardous or nuisance conditions.

The most 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 of the property into the residence of a neighboring property. Persons with chronic breathing problems can be affected by these conditions. We do not like to ever disrupt anyone's fun; however, we do have to follow the law.

If the Fire Department requests that you to extinguish your fire due to non-compliance with the rules and regulations, or if 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 a violation of the open burning regulations. In addition, if you are charged, the Regional Air Pollution and Control Agency will be notified.

If you have any questions concerning the Ohio Open Burning Regulations, please contact the Waterville Fire Department at (419) 878-0165

What can I burn?

The following open fires are *allowed* in Ohio:

May 2013

TYPE OF FIRE	INSIDE A VILLAGE OR CITY If generated on property	OUTSIDE A VILLAGE OR CITY If generated on property
Barbeques, 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, weeds, 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. <i>Fire must be more than 1,000 feet from neighbor's inhabited building. Must notify Ohio EPA in advance.</i>	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, weeds, 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. <i>Fire must be more than 1,000 feet from neighbor's inhabited building. 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. <i>Fire must be more than 1,000 feet from neighbor's inhabited building. 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. <i>No notification required.</i>
Occupational fires: welding torches, heating tar, heating for warmth of outdoor workers and strikers	Use clean, seasoned firewood contained in a 55-gallon drum.	Use clean, seasoned firewood 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>
Disease 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 <i>and must notify Ohio EPA in advance.</i>	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 1,000-foot 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.