

OPEN BURNING IN GARFIELD HTS.

Summer has finally arrived, and so has outdoor fires. We would like to remind you that being courteous to your neighbors can go a long way. Some neighbors may have respiratory problems and may not be able to tolerate the smoke. Some neighbors like to sleep with their windows opened. Try to work out a solution to these problems. Also take into consideration the time of day when enjoying your fire.

1511.03 OPEN BURNING IN RESTRICTED AREAS.

(a) No person or property owner shall cause or allow open burning in a restricted area except as provided in subsections (b) to (d) hereof or in Ohio R.C. 3704.11.

(b) Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA:

(1) Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers and strikers, smudge pots and similar occupational needs.

(2) Outdoor fireplace equipment, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational, or similar purposes, if the following conditions are met:

A. They are contained in an appliance or device that has been manufactured, and designed for containing an open flame by a reputable company; **This means that you can not build a fire pit from bricks or truck rims. They must be a manufactured item from store. A covered fire place, chiminea , or similar appliance is sufficient.**

B. They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood; **This means no green wood, scrap lumber, particle boards, pallets, etc.**

C. They have a total fuel area of three feet or less in diameter and two feet or less in height. **Self explanatory**

D. They are not used for waste disposal purposes; **No leaves or garbage.**

E. They are not be utilized within 15 feet of any structure or lot (property) line; **Very important. Do not put them in the back corner of the lot, between houses, or close to garages.**

F. They are attended and used by competent persons, and shall be fully extinguished when the operation has been completed; and

G. Any fire that is objectionable or offensive due to smoke or odor shall be prohibited. Certain woods can cause odors that are unpleasant to neighbors. If the wood is dry and seasoned it should be adequate. However, some wind conditions may blow smoke into your neighbors' windows. It is very important to think of others. A Fire Department officer may prohibit any fire that is causing a nuisance or if any of the following atmospheric conditions exist: ozone warning, high winds, excessive dryness, or atmospheric pressure not allowing smoke to readily dissipate.

(3) Disposal of hazardous explosive materials, military munitions or explosive devices that require immediate action to prevent endangerment of human health, public safety, property or the environment and that are excluded from the requirement to obtain a hazardous waste permit pursuant to O.A.C. 3745-50-45(D)(1)(d).

(4) Recognized training in the use of fire extinguishers for commercial or industrial fire prevention.

(5) Fires allowed by (b)(1), (b)(2), and (b)(4) of this section shall not be used for waste disposal purposes and shall be of minimum size sufficient for their intended purpose; the fuel shall be chosen to minimize the generation and emission of air contaminants.

(c) Open burning shall be allowed for the following purposes with prior notification to the Ohio EPA in accordance with Section 1511.04(b):

(1) Prevention or control of disease or pests, with written or verbal verification to the Ohio EPA from the local health department, cooperative extension service, Ohio Department of Agriculture, or U.S. Department of Agriculture, that open burning is the only appropriate disposal method.

(2) Disposal of agricultural waste generated on the premises if the following conditions are observed:

A. The fire is set only when atmospheric conditions will readily dissipate contaminants;

B. The fire does not create a visibility hazard on the roadways, railroad tracks, or air fields;

C. The fire is located at a point on the premises no less than one thousand feet from any inhabited building not located on said premises;

D. The wastes are stacked and dried to provide the best practicable condition for efficient burning; and

E. No materials are burned which contain rubber, grease, asphalt or liquid petroleum products.

(d) Open burning shall be allowed for the following purposes upon receipt of written permission from the Ohio EPA in accordance with Section [1511.04](#)(a) provided that any conditions specified in the permission are followed:

- (1) Disposal of ignitable or explosive materials where the Ohio EPA determines that there is no practical alternate method of disposal;
- (2) Instruction in methods of fire fighting or for research in the control of fires;
- (3) In emergency or other extraordinary circumstances for any purpose determined to be necessary by the Ohio EPA; and
- (4) Recognized horticultural, silvicultural, range or wildlife management practices.
- (5) Fires and/or pyrotechnic effects, for purposes other than waste disposal, set as part of commercial film-making or video production activities for motion pictures and television.

(Ord. 26-2010. Passed 5-10-10.)