

# City of Garfield Heights Opening Burning Rules

The City of Garfield Heights allows for recreational fires under certain circumstances.

## 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 out of bricks or stone, tire rims, barrels or other homemade devices. A covered fireplace, chiminea, or similar device 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 board, pallets, etc**

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

D. They are not used for waste disposal purposes; **absolutely 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 too close to garages. This distance is the bare minimum to protect buildings from radiant heat emitted from recreational fires.**

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. 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. **Certain types of wood can cause odors that are objectionable and or unpleasant to neighbors. If the wood is dry and seasoned it should burn relatively clean with little smoke or odor. However, some wind**

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conditions may blow smoke into your neighbors home. If this is the case you will be required to put out the fire. Repeat offenders will be cited.

(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.

## **1511.99 PENALTY.**

Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both.

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