

Open Burning Regulations

“Open burning” is defined as “any outdoor fire that that does not burn within a container equipped with a chimney or stack.”

Open burning activities are regulated by the Ohio Fire Code and enforced by the fire department. Open burning is also regulated by the Ohio Administrative Code and enforced locally by the Akron Regional Air Quality Management District division of the Ohio EPA.

The guidelines for open burning are established to prevent fire damage resulting from open burning activities that get out of control, prevent the discharge of pollutants into the atmosphere and to protect others from hazardous or undesirable smoke conditions

Recreational fires and bon fires are permitted under the conditions found in the Cuyahoga Falls Fire Department “*Guidelines for Open Burning*” shown below. Should the fire department observe, or be dispatched to your open burning activity because of a complaint, fire department members will respond in a non-emergency manner to evaluate the open burning activity according to the Guidelines for Open Burning. If the activity meets the regulations, then it is permitted to continue. If the activity does not meet the regulations, then the fire must be extinguished unless the activity can be readily brought into compliance. First time offenders of the open burning guidelines are simply issued copy of the *Guidelines for Open Burning* and advised to follow them in the future. Repeat offenders of the open burning guidelines can be issued a citation and fined.



Cuyahoga Falls Fire Department - GUIDELINES for OPEN BURNING



(This document is not a permit to burn. It is for advisory, enforcement, and documentation purposes only)

As prescribed by the Ohio Fire Code 1301:7-7-03 Section 307, and the Ohio Administrative Code 3745-19, open burning is defined and regulated per the regulations outlined below. **Penalties can be assessed for violations of the regulations** per Section 1501.05 of the City of Cuyahoga Falls Codified Ordinances, Section 3737.51 of the Ohio Revised Code, and Section 3745-19 of the Ohio Administrative Code.

- **Bonfire:** An outdoor fire used for ceremonial purposes
- **Recreation fire:** An outdoor fire burning only clean, dry firewood in an outdoor fireplace, barbecue grill or barbecue pit, and has a total fuel area of 2 feet or less in height and 3 feet diameter for pleasure, religious, ceremonial, cooking, warmth, or similar purposes. Approved containers are, but not limited to: metal fire rings, commercially manufactured units for open flame type burning, fire pits at least 18 inches deep with stones or fire brick lining the perimeter, and other configurations conforming to the intent of containing the fire safely.

REGULATIONS:

All open burning activities:

- ☐ Fuel shall consist of only 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. (OAC 3745-19-03-B)
- ☐ The fire **shall not** be utilized for **waste disposal** and fuel shall be chosen to minimize air contaminants. (OAC 3745-19-03-B)
- ☐ There shall be at least one portable fire extinguisher with a minimum of a 4-A rating or other approved on-site fire extinguishing equipment such as dirt, sand, water barrel, garden hose, or water truck. (OFC 307.5)
- ☐ Provisions shall be made to prevent the spread of fire to any structure or other combustible material. (OFC 307.4.1 & 307.4.2)
- ☐ The fire shall not generate objectionable smoke or odors. (OFC 307.1.1)
- ☐ If an objectionable smoke or odor complaint is generated, the complainant(s) shall be present upon investigation by the fire department of such objectionable smoke or odors. Smoke entering adjacent structures shall be considered objectionable and the fire is to be extinguished. Other matters of complaint shall be evaluated based on the safety and health of those present and in proximity to the fire. The fire official investigating the open burning activity shall make all determinations. (OFC 307.3)
- ☐ **No** open burning shall be conducted where an air *alert, warning, or emergency* is in effect. (OAC 3745-19-02-A)
- ☐ The fire shall be constantly attended until the fire is extinguished. (OFC 307.5)

For a bonfire: A permit is required from the Fire Department and the Akron Regional Air Quality Management Division of the Ohio EPA (800-589-2480 or 330-375-2480) 10 working days before the activity is to take place. (OFC 307.2)

- ☐ The wood stack size shall be no larger than 5ft high by 5ft in diameter and shall not burn longer than 3 hrs. (OAC 3745-19-03-C)
- ☐ The fire must be at least **50 feet** from any structure. (OFC 307.4.1)
- ☐ Provisions shall be made to prevent the spread of fire to within 50 feet of any structure. (OFC 307.4.1)

For a recreation fire: A permit from the FD not required, but is encouraged.

- ☐ The wood stack size shall be no larger than 2 feet high by 3 feet in diameter. (OFC 307.4.1)
- ☐ Fires not contained in an approved container must be at least **25 feet** from any structure or combustible material. (OFC 307.4)
- ☐ Fires in approved containers are permitted to be **not less than 15 feet** from a structure. (OFC 307.4).

A check in a box above indicates a violation of the corresponding open burning rule or regulation

Open burning investigated at _____ on _____
(address) (date)

This activity: Meets the regulations _____ Does not meet the regulations _____ Was extinguished _____

(Owner/responsible person signature)

(Printed name)

(Owner/responsible person SSN)

(Owner/responsible person DOB)

(Owner/responsible person phone number)

(Fire Department Officer-in-charge signature)

(Printed name)