

OHIO'S OPEN BURNING REGULATIONS SPECIFICALLY - RECREATIONAL FIRES

The Ohio Fire Code (OFC), Section 307 is the minimum standard for open burning and recreational fires in the State of Ohio. These rules are promulgated and adopted by the Ohio Division of State Fire Marshal and have become statewide law with which the City of Miamisburg and the Miami Township must comply. In addition, The Ohio Administrative Code (OAC), Section 3745-19 regulates open burning activities which is enforced state wide by the Ohio EPA and locally by the Regional Air Pollution Control Agency. The Miami Valley Fire District 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. The 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 or barbeque grill and has a total fuel area of 3 feet or less in diameter and 3 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

The Ohio Administrative Code contains additional provisions for open burning that applies to both the City of Miamisburg and Miami Township. In these rules, yard waste materials cannot be burned at any time.

Residents may have recreational fires 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, rubbish materials or prohibited materials defined by the OAC may be burned at any time.)*
- If the fire is **contained** in an approved container such as an outdoor fireplace, barbeque pit, etc., the fire must be at least **15 feet** from a structure or combustible materials.
- If the fire is **not contained** in an approved container such as an outdoor fireplace, barbeque pit, etc., 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 extinguished if it is not attended.
- A portable fire extinguisher with a minimum of a 4A rating, a garden hose, bucket of sand or other suitable means for extinguishing the fire must be provided.
- **The Fire Department is required to extinguish fires which create hazardous conditions.**
- **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 order the responsible person to extinguish the fire or it will be extinguished by the fire department.**

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 the property into the residence of a neighboring property. Persons with chronic breathing problems can often be affected negatively by these conditions.

Another issue that commonly comes up associated with recreational fires is the noise and disturbance of the neighborhood when these events extend late into the evening. This is a police matter and will be dealt with by the Miamisburg Police Department or the Miami Township Police Department.

If the Fire Department 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 a violation of the open burning regulations.

If you have any questions concerning the Ohio Open Burning Regulations, please contact the Miami Valley Fire District at 937-560-2152.