



DAYTON OPEN BURNING POLICY

TO APPLY FOR AN OPEN BURNING PERMIT, or if you have questions, please call the Dayton Fire Department at (937) 333-4520

QUALITY OF LIFE NEIGHBORHOOD ISSUES – City of Dayton Mediation Center may be able to assist with issues that are not code violations. www.daytonmediationcenter.org (937) 333-2345

BULK WASTE COLLECTION

Some large items cannot be thrown away because they are too big to fit in your trash container. Bulk pickup is provided on one Friday monthly (find your scheduled pickup in Dayton Collects).

Residents must schedule bulk pickups in advance by calling the City's Customer Service Call Center at (937) 333-4800 or online. To use the online bulk-collection scheduling process, www.daytondelivers.daytonohio.gov

GREEN DEBRIS

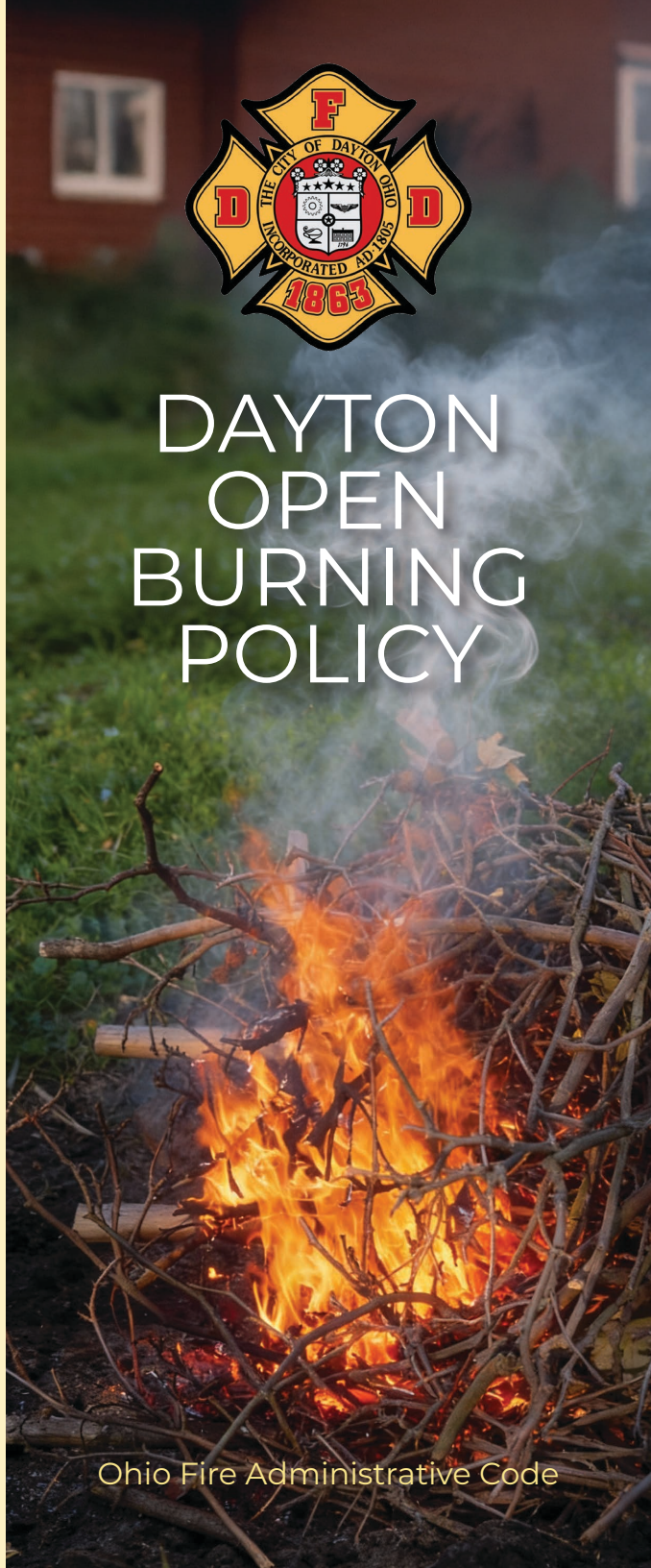
Residents, neighborhood groups, and community organizations can dispose of green debris (leaves, branches, grass clippings, tree limbs, etc.). Debris does not have to be bagged, bundled or sorted. There is no charge for the drop-off service.

LOCATION: 2670 Wagner Ford Road

CONTACT: (937) 333-4800



DAYTON OPEN BURNING POLICY



Ohio Fire Administrative Code



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Open burning is generally prohibited within the City, except for a few exceptions or when a permit has been issued

COOKING AND RECREATIONAL FIRES:

allowed without a permit or notification to the fire department. These fires are used for the preparation of food or for recreation. These fires are restricted to cooking appliances or a three-foot-by-three-foot (3x2) fire pit for a limited duration, typically not more than 3 hours.

BONFIRES: Bonfires require a Dayton Fire Department Open Burning Permit and advanced notice to the Regional Air Pollution Control Agency (RAPCA). Specific restrictions/conditions will be noted on the City permit and the RAPCA letter.

To apply for an Open Burning Permit, or if you have questions, please call the Dayton Fire Department at (937) 333-4520

WARMING FIRES: Warming fires are used during cold months for outdoor workers. A Dayton Fire Department permit and RAPCA approval letter are required for a warming fire; the permit will specify periods (which may allow a warming fire to be operational for several months) and other restrictions.

MINIMUM DISTANCES: Fires shall be in a safe location and kept away from structures and public ways.

- **Small cooking and recreational fires** in containers and with flames less than two feet high – 25 to 50 feet.

- **BBQ grills and very small fires** in fully enclosed or approved containers with a chimney (ex. chimineas), may be placed within a reasonable distance to a structure (never closer than 15'), provided that it remains on a noncombustible surface and does not pose a fire risk. Charcoal and gas grills ARE NOT permitted on apartment decks, patios, or balconies.

- **Bonfires/recreational fires** with flames higher than two feet – 50 feet or more.

FOR ALL FIRES: All open burning shall be constantly attended and means of extinguishment shall be nearby – a fire extinguisher, garden hose, dirt, sand, or water barrel. Only clean, dry wood may be burned.

ATMOSPHERIC, SMOKE, AND/OR UNSAFE CONDITIONS: If at any time the open burning becomes objectionable or creates a nuisance due to smoke or odor emissions, or if atmospheric or local conditions make the fire hazardous, the fire official or RAPCA may order the extinguishment of any open burning.



“At no point in time may waste debris, plastic, treated wood, or yard cuttings be burned.”

Ohio Administrative Code 1301:7-7-02 DEFINITIONS:

BONFIRE

An outdoor fire utilized for ceremonial purposes.

OPEN BURNING

The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues, or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open

PORTABLE OUTDOOR FIREPLACE

A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

RECREATIONAL FIRE

An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

RUBBISH (TRASH)

Combustible and noncombustible waste materials, including residue from the burning of coal, wood, coke, or other combustible material, paper, rags, cartons, tin cans, metals, mineral matter, glass crockery, dust, and discarded refrigerators, and heating, cooking, or incinerator-type appliances.

WILDFIRE RISK AREA

Land that is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon it would present an abnormally difficult job of suppression or would result in great or unusual damage through fire or such areas designated by the fire code official.

OHIO FIRE CODE: Open Burning, Recreational Fires and Portable Outdoor Fireplaces*

307.1 GENERAL. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5.

307.1.1 PROHIBITED OPEN BURNING. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

Exception: Setting a backfire for the purpose of reducing the impact of wildland fire as set forth in Sections 1503.11 and 1503.22 of the Revised Code or from any prescribed burn operations authorized under division (C) of Section 1503.18 of the Revised Code.

307.1.2 BAN ON OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES.

The state fire marshal, in the sole discretion of the state fire marshal, may issue a ban on open burning, recreational fires, or the use of portable outdoor fireplaces at any time when the state fire marshal determines that atmospheric or drought or other environmental conditions necessitate such a ban. The ban may be issued state-wide or may be tailored to a specific area, region or county of the state as conditions warrant.

307.1.2.1 No open burning or recreational fires shall occur, and no portable outdoor fireplaces shall be used in any area where a ban is in effect or at any time during a period when the state fire marshal has issued a ban.

307.1.2.2 No permit authorizing open burning, recreational fires or the use of portable outdoor fireplaces shall be issued during any time or in any area where a ban has been issued by the state fire marshal.

Exception: A permit authorizing open burning, recreational fires, or the use of portable outdoor fireplaces may be issued for any area, if any, that is not subject to the ban.

307.1.2.3 Nothing in this section shall prohibit a local fire code official with authority to do so from issuing a local ban on open burning, recreational fires, or the use of portable outdoor fireplaces at any time when conditions warrant, including during times when the

state fire marshal has issued a ban as long as the local ban does not contradict the ban issued by the state fire marshal.

307.2 PERMIT REQUIRED. A permit shall be obtained from the fire code official in accordance with Chapter 1 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land on which the fire is to be kindled.

307.2.1 AUTHORIZATION. Where required by state or local law or regulations, **open burning shall only be permitted with prior approval** from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

307.3 EXTINGUISHMENT AUTHORITY. Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the **fire code official is authorized to order the extinguishment of the open burning operation.**

307.4 LOCATION. The location for open burning shall be not less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.

Exceptions: 1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure. 2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

307.4.1 BONFIRES. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

307.4.2 RECREATIONAL FIRES. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that

could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.2.1 FIRE PITS. Recreational fires conducted in gas-fired recreational pits shall not be conducted within 15 feet of a structure or combustible materials.

307.4.3 PORTABLE OUTDOOR FIREPLACES. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one- and two-family dwellings.

112.4 Civil Penalties for Violations of the Ohio Fire Code

Penalties are specified in Sections 3737.51 and 3737.99 of the Revised Code. In accordance with Section 3737.51 of the Revised Code, the fire code official may propose a civil penalty for each violation of this code as follows:

1. Any person who has received a citation for a serious violation of the fire code or any order issued pursuant to it, shall be assessed a civil penalty of not more than one thousand dollars for each such violation.
2. Any person who has received a citation for a violation of the fire code or any order issued pursuant to it, and such violation is specifically determined not to be of a serious nature, may be assessed a civil penalty of not more than one thousand dollars for each such violation.
3. Any person who fails to correct a violation for which a citation has been issued within the period permitted for its correction, may be assessed a civil penalty of not more than one thousand dollars for each day during which such failure or violation continues.
4. Any person who violates any of the posting requirements, as prescribed by division (C) of Section 3737.42 of the Revised Code, shall be assessed a civil penalty of not more than one thousand dollars for each violation.

*Select sections from Ohio Fire Code: Open Burning, Recreational Fires and Portable Outdoor Fireplaces.