



Toledo Fire & Rescue Department

Fire Prevention Bureau
One Government Center, Ste. 1710
Toledo, OH 43604-2209
419-245-1140

Title

Open Burning/Illegal Burning

Purpose

To define open burning and establish procedures for handling these types of incidents.

Policy/Procedure

No open burning shall be conducted in an area where an air alert, warning, or emergency under Chapter 3745-25 of the Ohio Administrative Code is in effect. Ohio Fire Code Section 307 will also be referenced for this policy.

Open Burning shall be allowed for the following purposes without prior notification from the Ohio E.P.A. or the Toledo Fire & Rescue Department:

1. Heating tar, welding, acetylene torches, highway flares, heating for warmth of outdoor workers or strikers, smudge pots and other similar occupational needs.
2. Bonfires, campfires, and outdoor fireplace equipment, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational, or similar purposes, if the following criteria are met:
 - a. 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.
 - b. They are not used for wasted disposal purposes; and
 - c. They shall have a total fuel area of three or less feet in diameter and two feet or less in height.

The fires must meet the following criteria:

1. The fire **must** be contained within an approved container, such as a chiminea, barrel, etc. ***or*** contained within a fire pit, having the perimeter surrounded by bricks, stones, etc. Fires in approved containers shall not be closer than 25 feet to any structure. In fire pits, fires shall not be within 50 feet of any structure.
2. Water **must be located at the site** for fire extinguishment. A garden hose or water filled bucket is acceptable.
3. Only “seasoned” type wood materials can be used. Unseasoned landscape waste, domestic rubbish, etc. is not acceptable. The unseasoned wood such as tree branches, shrubs, etc. can emit too much smoke and/or contaminants into the air.
4. If excessive smoke is bothering neighbors, the fire should be extinguished.

The Incident Commander on scene has the ultimate authority to extinguish, or order the extinguishment of any fire that, in their opinion, constitutes a hazard or nuisance as indicated in the criteria listed above in numbers 1, 2, or 3, or as referenced in the code below.

The Ohio Fire Code (G) Section 307, Open Burning Policy, (b) 307.2.2 Prohibited open burning.

“Open burning that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The fire code official is authorized to order the extinguishment by the permit holder or the fire department of open burning which creates or adds to a hazardous or objectionable situation.