



Division of Fire/Rescue

BRUNSWICK HILLS FIRE/RESCUE

1918 PEARL ROAD

BRUNSWICK, OHIO 44212



Anthony M. Strazzo Fire Chief

Open Burning and Fire Pits/Chimineas

In the past few years outdoor fireplaces commonly known as fire pits/chimineas have become very popular in the United States. Outdoor fireplaces, fire pits or chimineas have some very important characteristics that make them fall into the outdoor fireplace category. Listed below are some characteristics that must be present to allow these devices to be considered an outdoor fireplace.

- Constructed of clay, cast iron or cast aluminum.
- Must have a chimney, screen or top for spark arresting safety.
- Shall be listed for use as outdoor fire place, fire pit, or chiminea.
- Elevated off the ground with feet or pedestal.

The State of Ohio Fire Code allows these devices as long as safety is the #1 priority. When using these devices, here are a couple of safety tips that shall be followed; if not it can result in an unsafe condition or the fire to be extinguished by local authorities.

1. Have a fire extinguisher or water source readily available to extinguish the fire. (Ohio Fire Code 307.5)
2. All recreational fires in approved containers must be a minimum of 15ft from any structure. (Ohio Fire Code 307.5)
3. Do NOT burn treated wood, pellets, or charcoal (and of course, never burn toxic materials)
4. Place the fireplace/chiminea in a spot that is clear of hanging trees, branches, brushes, or anything else that is flammable.
5. Position the chiminea on a flat and fireproof surface (rock, concrete, bricks)
6. Never leave the fire unattended. Also make sure it is completely extinguished before going in for the night. (Ohio Fire Code 307.5)
7. Do NOT use lighter fluid or gasoline. Use fire starters!

The Brunswick Hills Fire Department does not encourage the use of outdoor fireplaces/chimineas for safety reasons. The Department would also like to remind you that the **Ohio Fire Code reserves the right for these fires to be extinguished anytime a complaint is received for conditions that are offensive or objectionable because of smoke or odor emissions or conditions that warrant it due to safety.** (Ohio Fire Code 307.1.1)

3745-19-03 Open burning in restricted areas.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (M) of rule [3745-19-01](#) of the Administrative Code titled "Referenced materials."]

(A) No person or property owner shall cause or allow open burning in a restricted area except as provided in paragraphs (B) to (D) of this rule or in section [3704.11](#) of the Revised Code.

(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) Bonfires, campfires and 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 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 waste disposal purposes; and

(c) They shall have a total fuel area of three feet or less in diameter and two feet or less in height.

(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 paragraph (D)(1)(d) of rule [3745-50-45](#) of the Administrative Code.

(4) Recognized training in the use of fire extinguishers for commercial or industrial fire prevention.

(5) Fires set at the direction of federal, state, and local law enforcement officials for the purpose of destruction of cannabis sativa (marijuana) plant vegetation, processed marijuana material and/or other drugs seized by federal, state, or local law enforcement officials.

Fires allowed by paragraphs (B) (1) , (B)(2) and (B)(4) of this rule 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.

(C) Open burning shall be allowed for the following purposes with prior notification to the Ohio EPA in accordance with paragraph (B) of rule [3745-19-05](#) of the Administrative Code:

(1) Prevention or control of disease or pests, with written or oral verification to the Ohio EPA from the Ohio department of health or local health department, the centers for disease control

OHIO ADMINISTRATIVE CODE
OPEN BURNING IN RESTRICTED AREAS

and prevention, cooperative extension service, Ohio department of agriculture, or United States department of agriculture, that open burning is the only appropriate disposal method.

(2) Bonfires or campfires used for ceremonial purposes that do not meet the requirements of paragraph (B)(2) of this rule, provided the following conditions are met:

(a) They have a total fuel area no greater than five feet in diameter by five feet in height and burn no longer than three hours;

(b) They are not used for waste disposal purposes; and

(c) 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.

(3) Disposal of agricultural waste generated on the premises if the following conditions are observed:

(a) The fire is set only when atmospheric conditions will readily dissipate contaminants;

(b) The fire does not create a visibility hazard on the roadways, railroad tracks, or air fields;

(c) The fire is located at a point on the premises no less than one thousand feet from any inhabited building not located on said premises;

(d) The wastes are stacked and dried to provide the best practicable condition for efficient burning; and

(e) No materials are burned which contain rubber, grease, asphalt, liquid petroleum products, plastics or building materials.

(D) Open burning shall be allowed for the following purposes upon receipt of written permission from the Ohio EPA, in accordance with paragraph (A) of rule [3745-19-05](#) of the Administrative Code, provided that any conditions specified in the permission are followed:

(1) Disposal of ignitable or explosive materials where the Ohio EPA determines that there is no practical alternate method of disposal, excluding those materials identified in paragraph (B)(3) of this rule;

(2) Instruction in methods of firefighting or for research in the control of fire as recognized by the state fire marshal division of the Ohio department of commerce and the guidelines set forth in the national fire protection association's (NFPA) publication 1403: "Standard on Live Fire Training Evolutions, Chapter 4, Acquired Structures," provided that the application required in paragraph (A)(1) of rule [3745-19-05](#) of the Administrative Code is submitted by the commercial or public entity responsible for the instruction;

(3) In emergency or other extraordinary circumstances for any purpose determined to be necessary by the director and, if required, performed as identified in the appendix to this rule. If deemed necessary, the open burning may be authorized with prior oral approval by the director followed by the issuance of a written permission to open burn within seven working days of the oral approval;

OHIO ADMINISTRATIVE CODE
OPEN BURNING IN RESTRICTED AREAS

- (4) Recognized horticultural, silvicultural (forestry), range, or wildlife management practices; and
- (5) Fires and/or pyrotechnic effects, for purposes other than waste disposal, set as part of commercial film-making or video production activities for motion pictures and television.

[Click to view Appendix](#)

Effective: 05/27/2012

R.C. [119.032](#) review dates: 01/30/2012 and 05/27/2017

Promulgated Under: [119.03](#)

Statutory Authority: [3704.03\(E\)](#)

Rule Amplifies: [3704.03\(A\)](#), [3704.03\(E\)](#)

Prior Effective Dates: 6/21/76, 10/30/87, 12/20/88, 11/27/00, 07/07/06