



# Miami Township Fire & EMS

5888 McPicken Drive - Milford, Ohio 45150-4904

Phone: 513.248.3700 [www.miamitwpoh.gov/fd/](http://www.miamitwpoh.gov/fd/)

Questions? Email: [FirePrevention@miamitwpoh.gov](mailto:FirePrevention@miamitwpoh.gov)

## **Outside Burning** **(firepits, agriculture burns, bonfires, open burning, etc)**

When you burn outdoors, the potential cost to your health, your home, your neighbors and the environment can be very high. Protect yourself, your neighbors, and your finances by knowing the rules. Remember, there are alternatives to open burning.

Recreational fires, fire pit fires, portable fireplace fires, and contained fires for warmth of construction workers are not “open burning” by definition or are not included in “open burning” regulations. They must meet specific criteria to be exempt from “open burning” regulations.

Regardless of whether permits are required, or any permit is issued, if a firefighter or fire official determines that a situation creates or adds to a hazardous situation, they are authorized to order extinguishment. This is applicable to all fires, not just “Open Burning”.

All outside burning shall be prohibited if offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous.

“Open Burning” is the burning of landscape waste, leaves, construction debris, downed trees, agricultural or silvicultural burns, residential waste, etc. Alternatives to open burning are highly recommended. “Open burning” includes 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.

- [Composting \(Hamilton County\)](#)
- [Composting \(Clermont County\)](#)
- [Yard Trimming Drop-off Sites \(Clermont County\)](#)
- [Brush Vouchers \(Miami Township\)](#)

“Open burning” is restricted. See the Open Burning section of this document for the permitting process.

Most of the guidelines about outside burning can be found on these websites:

- <https://ohiodnr.gov/discover-and-learn/safety-conservation/woodland-management/open-burn-laws>
- [https://southwestohioair.org/special\\_programs/open\\_burning/index.php](https://southwestohioair.org/special_programs/open_burning/index.php)
- <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/open-burning>
- <https://www.miamitwpoh.gov/fd/open-burn.html>

## Overall Restrictions

1. Materials that are NEVER to be burned at any time or any place in Ohio:
  - a. Food Waste
  - b. Dead Animals
  - c. Materials containing rubber, grease, asphalt, or made from petroleum
2. No burning when an air pollution alert, warning, or emergency is in effect.
3. No burning when State / Regional / Local burn bans are in effect. Permits cannot overrule a burn ban.
4. Fire/smoke cannot obscure visibility on roadway, railways, or airfields.
5. ORC 1503.18 ban during spring and fall includes no burning of yard waste, trash, and debris, even in a proper burn barrel.

## Recreational Fires, no permit required

1. Requirements for a recreational fire
  - a. "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, barbecue grill or barbecue pit
  - b. Has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes
  - c. The burn must be continuously attended until fully extinguished.
  - d. Shall not be conducted within 25 feet of a structure or combustible material.
  - e. Recreational fires conducted in gas-fired recreational pits shall not be conducted within 15 feet of a structure or combustible materials
  - f. At least one fire extinguisher of 4A rating or other approved extinguishing equipment must be available for immediate use. A garden hose typically meets this requirement.

## Portable Outdoor Fireplace, no permit required

1. Requirements for a portable outdoor fireplace
  - a. "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 operating in the top.
  - b. This includes firepits, barbeque pits, and related commercially made devices.
  - c. Shall not be conducted within 15 feet of a structure or combustible material.
  - d. The burn must be continuously attended until fully extinguished.
  - e. At least one fire extinguisher of 4A rating or other approved extinguishing equipment must be available for immediate use. A garden hose typically meets this requirement.

## Agriculture Burns, permit process

1. See the Open Burning section

Open Burning, permit process (for agricultural or silvicultural burns, us this process)

1. Open Burning, even using the permit process, is restricted during certain times of the year:
  - a. Ohio Revised Code 1503.18 Regarding Kindled Fires
  - b. O.R.C. 1503.18 is under the authority of the Ohio Division of Forestry. This law prohibits outdoor open burning statewide in unincorporated areas (areas outside a city or village) during the months of March, April, May, October, and November between the hours of 6 a.m. and 6 p.m.
2. Requirements for the burn itself
  - a. The burn must be continuously attended until fully extinguished.
  - b. The burn must be at least 1,000 feet from any buildings on other properties and 50 feet from structures on the same property.
    - i. This regulation rules out open burning in most of Miami Township
    - ii. Due to the developed nature of most of the Township, very few lots have a space 1,000 feet from buildings on other properties.
  - c. The fire is located outside a restricted area.
    - i. Restricted areas include all municipal corporations and 1,000 feet from the borders of the City of Milford, and 1 mile from the borders of the City of Loveland.
  - d. All materials to be burned must originate from the same site where the burning will occur (cannot truck in materials to burn).
  - e. Request should include the fire protection that will be in place before, during, and after the open burning.
  - f. All involved parties must be provided with a site map showing the location of the intended burn pile and the distances to neighboring parcels with structures on them.
    - i. Include addresses and parcel number
  - g. Advanced written permission is required, either through the permit process or confirmation that a permit is not needed.
3. The EPA or its designated agency must be contacted if the requirements are met.
  - a. In Clermont County, this is the Southwest Ohio Air Quality Agency
    - i. Southwest Ohio Air Quality Agency: 513.946.7777
  - b. It is the policy of Miami Township Fire & EMS not to issue an Open Burn permit until it is established that an air quality control permit is not required or that a permit has been obtained from the Southwest Ohio Air Quality Agency.
4. Once the Southwest Ohio Air Quality Agency makes a determination, all information must be forwarded to Miami Township Fire & EMS.
  - a. Send any permit issued or written documentation that a permit is not required
  - b. [FirePrevention@miamitwpoh.gov](mailto:FirePrevention@miamitwpoh.gov) is the designated email address for this information.
  - c. A certified fire inspector will then schedule a visit to the site to conduct an evaluation.
5. Regardless of any permit issued, if a fire official determines open burning creates or adds to a hazardous situation, they are authorized to order the extinguishment of the burn.

## Ceremonial Bonfires, permit process

1. Requirements for the bonfire itself
  - a. Bonfires are restricted to ceremonial use
  - b. The burn must be continuously attended until fully extinguished.
  - c. A site map with the location of the intended bonfire showing distances to the nearest structures (all structures within 1000 feet should be shown, from the same property and from nearby properties) will need to be provided.
    - i. Include addresses and parcel number
  - d. Request should include the fire protection that will be in place before, during, and after the bonfire.
    - i. At least one fire extinguisher of 4A rating or other approved extinguishing equipment must be available for immediate use.
  - e. Request should detail the requested size, fuel, and timeframe for the ceremonial bonfire
    - i. The fuel may not be agricultural waste or other materials included in the Open Burning definition
2. All information must be forwarded to Miami Township Fire & EMS.
  - a. [FirePrevention@miamitwpoh.gov](mailto:FirePrevention@miamitwpoh.gov) is the designated email address for this information.
  - b. A certified fire inspector will then schedule a visit to the site to conduct an evaluation.
  - c. It may be required to have an additional visit just prior to the ignition to assure compliance with permit conditions.
  - d. In some cases, it may be necessary for the fire department to be on-site during the fire (may be subject to Special Detail Event Billing).