



Regional Air Pollution Control Agency

Serving Clark, Darke, Greene, Miami, Montgomery and Preble Counties
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www.rapca.org



Public Health
Prevent. Promote. Protect.
Dayton & Montgomery County

Anyone choosing to burn for the purpose of waste disposal must follow the terms and conditions listed below and comply with Ohio Administrative Code (OAC) [3745-19 Open Burning Standards](#). Failure to comply with these rules may result in possible enforcement action and revocation of open burning privileges.

RAPCA will be maintaining a list of addresses (see below) where residents have demonstrated and/or stated that they can meet the OAC rules and agree to the open burning terms and conditions. This list is being maintained as a courtesy to residents and local fire departments as to help alleviate any unnecessary fire squad calls.

Open Burning Terms and Conditions

- Maintain all fires in a nuisance-free fashion.
- Notify your local Fire Department prior to burning.
- Only clean, dry, untreated wood or other approved materials may be burned. See [OAC 3745-19](#) for a complete list of approved materials or contact RAPCA with questions.
- Burning of asphalt shingles, trash, tires, plastics, furniture, mattresses, building materials is strictly prohibited and all other prohibited materials. See [OAC 3745-19](#) for a complete list of prohibited materials or contact RAPCA with questions.
- Fire extinguishing materials must be on-site at all times.
- Do NOT burn during high wind conditions, please check with your local fire department if there are any questions.
- Open burning on Air Pollution Advisory days is prohibited. Call the RAPCA Airline at 937-223-3222, or visit the [RAPCA](#) home page, to find out if an advisory has been issued.
- Burn site must be located at least 1,000 feet from the nearest neighboring residence. Resident must recognize dry conditions and obey any state or local advisories and/or bans against open burning. Specifically, OAC 3745-19 does not relieve the resident of the ODNR Division of Forestry open burning requirements contained in [Ohio Revised Code 1503.18](#) which prohibit most prescribed/prairie burns and brush/waste disposal fires from being set in unincorporated areas between the hours of 6am to 6pm during March, April, May, October and November unless applicant obtains a waiver from the Chief of the Division of Forestry.



Ohio's Open Burning Regulations



Ohio Administrative Code ❖

(RAPCA enforced in Darke, Clark, Greene, Miami, Montgomery & Preble Cty)
OAC 3745-19 (Open Burning Standards)

Ohio Revised Code

(ODNR, Division of Forestry, enforced)
ORC 1503.18

Ohio Fire Code

(Fire Department enforced)
OAC 1301:7-7-03, (G) Section 307

GENERAL requirements (pertaining to all areas):

- *All permissible waste disposal fires must be **1,000 ft** (~3 football fields) from any neighboring inhabited building (see below ^{1&2})
- ***NO STRUCTURES** (or materials from demolished structures) may be burned; this includes WOOD BARNS, HOMES, GARAGES, OUT BUILDINGS, etc.
- ***NO** tires, garbage/trash, dead animals, animal waste, plastics (items containing rubber, grease, asphalt or liquid petroleum) may be burned at anytime
- *Recreational/cooking fires must be no greater than 3ft X 2ft & fueled with clean, seasoned (untreated) firewood & NOT be used for the purpose of waste disposal; Notification to RAPCA is not required
- *NO open burning is allowed during air pollution advisories, emergencies, air alerts or burn bans

(For protection against wildfires):

- *Prohibits any open burning where a fire is likely to escape unless all surrounding leaves, grass, wood & flammable material near burn site have been removed to a safe distance & all other reasonable precautions have been taken to prevent fire escape; no fire shall be left until extinguished

*Fire Dept. may extinguish or require cessation of any fire which is deemed hazardous or objectionable due to smoke, odor or other hazardous conditions

*All open burning shall be constantly attended until fire is extinguished

Open burning & Recreational Fires:

*Fires in approved containers must be at least 15 ft from a structure

*Recreational fires must be > 25 ft from a structure or combustible material

*Burn piles ≤ 3ft x 2ft in size must be at least 25 ft from a structure

*Bonfires shall be > 50 ft from a structure or combustible material unless contained in a barbecue pit

*For all fires other than those listed above, the burn site must be at least 50 ft from any structure

* *For more info. on the Ohio Fire Code, contact your local Fire Department*

In Unincorporated Areas:

*With limited exceptions, open burning is prohibited from 6:00 am to 6:00 pm during March, April, May, October & November. (This includes burning yard waste, wood, brush, weeds, grass & other residential/agricultural debris)

*This ban applies statewide to private and public lands in unincorporated areas

* *For more info. on ODNR regs. contact Division of Forestry at: 1-877-247-8733 or forestry@dnr.state.oh.us*

Restricted Areas¹

- Prior written **notification** to RAPCA is required:
- *Agricultural waste - waste must be generated on the premises (waste may not be transported from off-site); 1,000 ft distance; BARNS may NOT be burned
 - *NOT permissible to burn residential waste in restricted areas
 - *Bonfires (ceremonial fires) - may not exceed 5ft x 5ft or burn for longer than 3 hours;
 - * Other limited circumstances w/ RAPCA/OEPA approval (i.e. fire training)

Unrestricted Areas²

- RAPCA notification is not required:
- *Agricultural & Residential waste ❖ - waste must be generated on the premises (waste may not be transported from off-site); 1,000 ft distance; BARNS may NOT be burned
 - ◆ Written notification required for agricultural waste piles exceeding 20ft in diameter x 10ft high & residential waste piles exceeding 10ft x 10ft x 10ft
 - *Bonfires (ceremonial fires) - may not exceed 5ft x 5ft or burn for longer than 3 hours;
 - * Other limited circumstances w/ RAPCA/OEPA approval (i.e. fire training)

- 1-Restricted Area:** Any municipal corporation (with a population of ten thousand persons or more) plus a zone extending one mile beyond any such municipality;
Any municipal corporation (with a population of one thousand to ten thousand persons) plus a zone extending 1,000 ft beyond the boundaries of any such municipality.
- 2-Unrestricted Area:** All areas outside the boundaries of a restricted area.

❖ For questions regarding acceptable procedures & compliance with the OAC 3745-19 Open Burning Standards, please contact the Regional Air Pollution Control Agency (RAPCA) AT: **937-225-4435 OR 1-800-458-2115.** [Notification of 'controlled burns' to Dispatch does NOT exempt any person from compliance with the above regulations or any other state or local rules. Violations of the regulations may result in criminal or civil penalties.]

Ohio Outdoor Fire Laws: What You Need to Know

Ohio Revised Code 1503.18 Regarding Kindled Fires

O.R.C. 1503.18 is under the authority of the Ohio Division of Forestry.

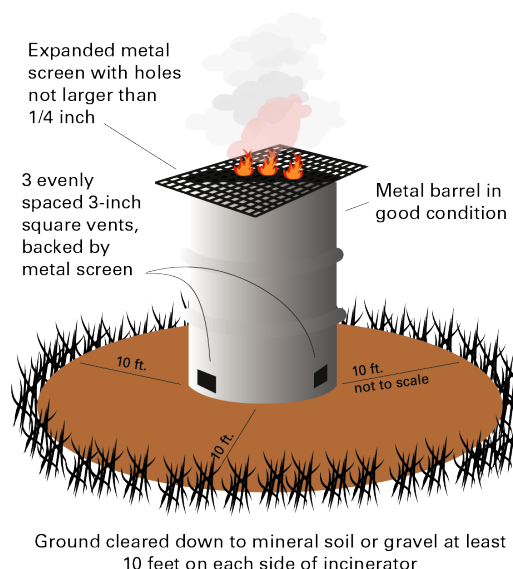
This law prohibits outdoor open burning statewide in unincorporated areas during the months of March, April, May, October, and November between the hours of 6 a.m. and 6 p.m.

This ban includes burning of yard waste, trash, and debris, even in a proper burn barrel.

During spring, wildfire danger is high before plants have turned green, and in fall, fire danger is high due to abundant dry leaves and dead grass. Warm, windy weather in both seasons also contribute to elevated fire risk. Always be sure to use a proper burn barrel when burning outdoors during legal hours.

Call your fire department for info about local burning regulations.

Call ODNR Forestry at 877-247-8733 with questions.



Ohio Administrative Code 3745.19 Regarding Outdoor Burning



O.A.C. 3745.19 is enforced by the Ohio EPA. EPA notification is required for many types of open burns in Ohio.

Call 614-644-2270 with questions or visit: www.epa.ohio.gov/dapc/general/openburning.aspx for complete rules and to find your local EPA office or air pollution control agency.

EPA Basics for Homeowners

Materials NEVER to be burned at any time or any place in Ohio:

- Food Waste
- Dead Animals
- Materials containing rubber, grease, asphalt, or made from petroleum

OTHER RESTRICTIONS:

- Fires must be more than 1,000 feet from neighbor's inhabited building
- No burning when air pollution alert, warning, or emergency is in effect
- Fire/smoke cannot obscure visibility on roadway, railways, or airfields
- No waste generated off the premises may be burned
- No burning within village or city limits or restricted areas



Department
of Commerce

Division of State Fire Marshal

