

# Air Pollution Control Division

**Ohio** Environmental  
Protection Agency  
APC Contractual Representative  
Serving All of Stark County

## Canton City Health Department

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**Terri Dzienis**  
APCD Interim Administrator

**James M. Adams, RS, MPH**  
Health Commissioner

Merlin Properties of Stark County LTD  
PO Box 3503  
Cuyahoga Falls, OH 44223

June 20, 2011

**Re: INFORMATIONAL LETTER REGARDING OPEN BURNING/  
806 SMITH AVE SW CANTON, OH 44708**

To whom it may concern:

On June 9, 2011, the Canton City Health Department, Air Pollution Control Division received a notice from the Canton City Fire Department of an illegal recreational fire at 806 Smith Ave SW Canton Ohio. The illegal fire was in violation of the City of Canton's Ordinance, Part 15 "Fire Prevention Code", Chapter 1513 "Recreational Fires". This is the forth notice that we have received from the Canton City Fire Department regarding this property.

The Stark County Auditor lists the owner of the above mentioned property as Merlin Properties of Stark County LTD.

Please be advised that there are State regulations regarding open burning. These regulations are in the Ohio Administrative Code (OAC) at OAC 3745-19. A copy of these regulations is enclosed with this letter. These regulations differ from the City of Canton's Ordinance cited in the first paragraph of this letter.

The specific sections of OAC 3745-19 relating to the fires at 806 Smith Ave are OAC 3745-19-01 "Definitions" and OAC 3745-19-03 "Open burning in restricted area". Two of the most important requirements of OAC 3745-19-03 are that it is illegal to open burn for waste disposal purposes, and paraphrasing the regulation, clean dry firewood is an acceptable fuel for the fires allowed under this rule. The owner of a property at which illegal open burning has occurred can be subject to administrative penalties of up to \$250 per day as described in OAC 3745-19-06. *Please review these regulations and follow their requirements before any additional open burning takes place on this property.*

Sincerely,



Patrick G. Shriver  
Monitoring and Inspections Supervisor

Enclosures: OAC Rule 3745-19

Cc: correspondence file  
complaints file