

Air Pollution Control Division

Canton City Health Department

420 Market Avenue North • Canton, Ohio • 44702-1544
(330) 489-3385 • Fax: (330) 489-3335

Robert E. Pattison, MPA
Health Commissioner

Daniel J. Aleman
APCD Administrator

OhioEPA

APC Contractual Representative
Serving All of Stark County

CERTIFIED MAIL

April 12, 2007

Mr. Cory Fair
916 3rd Street, S.W.
Canton, OH 44707-4577

Re: INFORMATION RELATING TO OPEN BURNING IN RESTRICTED AREAS

Dear Mr. Fair:

This office is in receipt of a report indicating that the Canton Fire Department was called to your outdoor fire on the evening of April 10, 2007. Many times citizens, unknowingly, violate open burning regulations because they are unaware of their existence. Your fire might have been in violation of Ohio EPA regulations and the Canton City ordinance regarding recreational fires. This letter is to make you aware of these regulations/ordinances.

According to Ohio EPA, you live in a restricted area. Ohio EPA does permit certain kinds of recreational fires in restricted areas. Please note the Ohio Administrative Code that follows:

Ohio Administrative Code 3745-19-03 (B): Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA:

(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.

Mr. Cory Fair
April 12, 2007
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However, be advised that the city has a recreational fire ordinance that is more restrictive than the Ohio EPA regulations. The city does not allow open burning for purposes other than cooking food for human consumption. Except for common barbeque grills, the city requires verbal application made to the local fire department in your area at least 48 hours prior to the time the fire is set. You do this by calling the Canton Fire Department at (330) 489-3400. There are city restrictions on the locations, size, fuel, and duration of the fire. Enclosed is a copy of Canton City Ordinance 15 13 on Recreational Fires. Also enclosed is a copy of the form that the fire department will fill out when you call in your verbal application to them. You might find this helpful as a guide to facilitate the process.

By copy of this letter to the listed owners of the property, they are advised that property owners are responsible for open burning violations through the actions of their tenants.

Sincerely,



Gregory A. Clark, CHMM, CAHES
Air Pollution Control Engineer

Enclosures: 1. Canton Ordinances 15 13. 01, .02, .03, and .99.00
2. Recreational Fire information form

cc: Randall and Jean S. Howard, 916 3rd St. SW, Canton OH 44707-4577
Chief Steven J. Rich, Canton Fire Department, 110 Seventh St. SW, Canton OH 44702

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Recreational Fire - Ordinances

Title

15 13. 99. 00 PENALTY.

Ordinance

Whoever violates any of requirements or provisions of this chapter shall be guilty of a misdemeanor of the fourth degree. (Ord. No. 207-2001. Passed 9-24-2001.)

Title

15 13. 01. 00 DEFINITION AND EXEMPTION.

Ordinance

(a) Definition. "Recreational fire" is defined for the purpose of this chapter as an outdoor open fire utilized to cook food for human consumption.

(b) Exemption. A small fire contained in a non-commercial clean burning enclosed cooking apparatus, commonly known as a grill, which is fueled by charcoal, propane or natural gas or similar material is exempt from the application requirement prescribed in Section 1513.02.

(Ord. No. 207-2001. Passed 9-24-2001.)

Title

15 13. 03. 00 PROHIBITED OPEN BURNING.

Ordinance

(a) No person or property owner shall cause or allow open burning except as provided in Section 1513.02.

(b) If a recreational fire creates or adds to a hazardous or objectionable situation, the Fire Department shall order the property owner or person having control to extinguish the fire. If the property owner or person having control refuses, the Fire Department will extinguish the fire.

(c) If the fire is not a recreational fire which has been approved by the Fire Prevention Bureau, or any other form of open burning for which a permit has been issued by the Air Pollution Control Division of the Canton Health Department, it shall be extinguished and reported to the Air Pollution Control Division of the Canton Health Department.

(Ord. No. 207-2001. Passed 9-24-2001.)

Title 15 13. 02. 00 APPLICATION, LOCATION, MATERIAL, SIZE AND DURATION.

Ordinance

(a) Application. Application for approval of recreational fires shall be verbally submitted to the Fire Prevention Bureau at least forty-eight (48) hours before the fire is set. If a recreational fire is planned for a weekend or holiday, notification shall be given by 4:00 p.m. Friday or by 4:00 p.m. the last business day before the holiday. The following information shall be provided at the time the approval is requested:

- (1) The purpose of the fire;
- (2) The nature and quantities of the material to be burned;
- (3) The date, time and duration of the fire;
- (4) The location; and
- (5) The fire-extinguishing equipment to be provided.

(b) Location. The location of the fire shall not be less than fifty (50) feet from any structure.

(c) Material. The material shall be of the minimum size for the intended purpose, consist only of seasoned dry firewood and be ignited with a small quantity of paper. The fuel shall be chosen to minimize the generation and emission of air contaminants.

(d) Size and Duration. A recreational fire shall not be more than 2 ft. x 2 ft. x 2 ft. in dimension and shall not be permitted to burn longer than three (3) hours, unless approved by the Fire Prevention Bureau. All recreational fires shall be extinguished by 11:00 p.m.

(e) Attendance. A recreational fire shall be constantly attended until the fire is completely extinguished. Approved extinguishing equipment shall be available for immediate utilization at all times.

(Ord. No. 207-2001. Passed 9-24-2001.)

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Recreational Fire

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Name of Person Having Fire: _____ Phone: _____

Address & Location of Fire: _____

Purpose of Fire: _____

Today's Date: _____ Date of Recreational Fire: _____

Time of Fire: _____ a.m./p.m. through _____ a.m./p.m.

***** Note: Recreational Fires are not permitted to burn longer than three (3) hours, unless approved in advance by the Fire Prevention Bureau, and shall be extinguished by 11:00 PM**

Type of Material to be Burned: _____

***** Note: Only seasoned, dry fire wood may be used. Construction materials cannot be burned!!**

Size: A recreational fire shall not be more than 2 ft. x 2ft. x 2 ft. in dimension

Check type of extinguishing material/equipment that will be on hand at all times:

_____ Fire Extinguisher _____ Garden Hose _____ Sand

Attendance: A recreations fire shall be constantly attended until the fire is completely extinguished!

Location: Fire may not be within fifty (50) feet of any structure

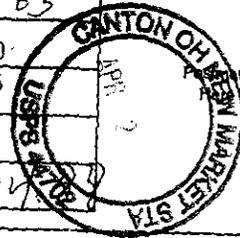
Application Taken By

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.64



Sent To
 MR. CORY FAIR
 Street, Apt. No.,
 or PO Box No. 916 3RD STREET SW
 City, State, ZIP+4 CANTON OH 44707

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. CORY FAIR
 916 3RD STREET SW
 CANTON OH 44707

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 D. McCasum 4/16/07

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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