

Air Pollution Control Division



APC Contractual Representative
Serving All of Stark County

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

CERTIFIED MAIL

May 22, 2007

Mr. Jamie Swayne
810 18th Street NE
Canton, OH 44714-2324

Re: INFORMATION RELATING TO OPEN BURNING IN CITY LIMITS

Dear Mr. Swayne:

The Canton City Health Department, Air Pollution Control Division has Ohio EPA authority for air emissions issues in Stark County. This includes Ohio EPA's open burning regulations.

This office is in receipt of a report indicating that the Canton Fire Department was called to your fire on the evening of May 18, 2007. You were in violation of a city ordinance because you had no permit from the fire department. They reported that you put the fire out.

For your future reference, I enclose Canton's ordinances on open burning. You will see that except for common barbeque grills that burn charcoal, propane, natural gas or similar fuels, the city requires verbal application made to the fire department at least 48 hours prior to the time a recreational fire is set. You do this by calling the Canton Fire Department at (330) 489-3400. Enclosed also 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 of their tenants.

Sincerely,

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

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

cc: Addressee (First Class Mail)

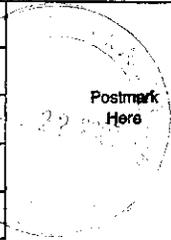
Donald E. and Deborah K. Esber, 810 18th St. NE Canton, OH 44714-2324 (Certified Mail)
Donald E. and Deborah K. Esber, 810 18th St. NE Canton, OH 44714-2324 (First Class Mail)
Chief Steven J. Rich, Canton Fire Department, 110 Seventh St. SW, Canton OH 44702

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7005 1160 0000 8893 5722

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To
 JAMIE SWAYNE
 Street, Apt. No., or PO Box No. 810 18TH ST NE
 City, State, ZIP+4 CANTON OH 44714

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:

 JAMIE SWAYNE
 810 18TH ST NE
 CANTON OH 44714

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Richard Fowle* Agent Addressee

B. Received by (Printed Name) *Richard Fowle* C. Date of Delivery *5/23/07*

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

7005 1160 0000 8893 5722

Codified Ordinances

Use your browser File Print to print the ordinance to the printer

1513.01 DEFINITION AND EXEMPTION.

(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. 207-2001. Passed 9-24-01.)

1513.02 APPLICATION, LOCATION, MATERIAL, SIZE AND DURATION.

(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. on 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. 207-2001. Passed 9-24-01.)

Ordinances

1513.03 PROHIBITED OPEN BURNING.

(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. 207-2001. Passed 9-24-01.)

Recreational Fire

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

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
