



## Open Burning in the City of Westerville



"Open burning" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the air, without passing through a stack or chimney from an enclosed chamber. For purposes of this chapter, an enclosed chamber is one which has only those ducts, stacks or chimneys necessary to provide combustion air and to permit the escape of exhaust gas. The burning of any materials in metal cans, barrels, containers, wire baskets or any home-made device is open burning; provided, however, cooking food for human consumption in:

- (a) A manufactured device specifically designed for purposes of cooking, or
- (b) Such other cooking device or container as may be approved by the City Fire Division, shall not be considered open burning.

(Ord. 99-64. Passed 11-16-99.)

### **1503.02 OPEN BURNING PROHIBITED.**

No person shall cause or allow open burning within the City except as provided in Sections [1503.03](#) through [1503.05](#).

(Ord. 74-13. Passed 4-2-74.)

### **1503.03 OPEN BURNING PERMITTED.**

Open burning shall be allowed for:

- (a) Cooking food for human consumption and contained fires for warmth of outdoor workers with permit only.
- (b) Welding, operation of acetylene torches, highway safety flares, heating of construction materials such as tar, agricultural functions such as smudge pots.

(Ord. 99-64. Passed 11-16-99.)

### **1503.04 OPEN BURNING BY PERMISSION WITH NOTIFICATION.**

Open burning shall be allowed for the purposes set forth in this section with a written permit from the City Fire Division and notification to the Ohio Environmental Protection Agency (OEPA), Central District Office.

- (a) Prevention or control of disease or pests.

(b) Ceremonial purposes. Ceremonial fires shall be less than five feet by five feet by five feet and shall burn no longer than three hours.

Fires allowed by this section shall not be used to burn garbage, landscape waste or any other waste material. The fuel used shall be seasoned dry wood chosen to minimize the generation and emission of air contaminants.

(Ord 81-2. Passed 1-20-81.)

### **📖 1503.05 OPEN BURNING FOR INSTRUCTION, RESEARCH AND IN AN EMERGENCY.**

Open burning shall be allowed for the following purposes upon receipt of written permission from the City Fire Division and notification of the Ohio Environmental Protection Agency (OEPA), Central District Office, provided that all conditions specified in the permit are followed:

- (a) Disposal of hazardous or toxic materials upon determination of the City Fire Division that there is no practical alternative method of disposal.
- (b) Instruction in methods of firefighting or for research in the control of fire.
- (c) In emergency or other extraordinary circumstances for any purpose determined to be necessary by the City Fire Division.

(Ord. 81-2 Passed 1-20-81.)

### **📖 1503.99 PENALTY.**

Whoever causes or allows open burning, or otherwise is in violation of any provision of this chapter, is guilty of a misdemeanor of the first degree.

(Ord. 99-64. Passed 11-16-99.)

The following devices are allowed:

