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Village Residents,

Recently the Village of Milan's Council was approached on a complaint on what residents are allowed to open burn in their fire pits. As a result of this complaint, we feel compelled to send out general guidelines on what is allowed/disallowed to be burned in the Village Limits. This is by no means the full Codified Ordinance 1511; this is a summary of what is allowable.

- 1) **No open burn shall be conducted in an area where an air alert, warning or emergency under the Ohio Administrative Code Chapter 3745-19 is in effect.**
- 2) **No Provisions of the Ohio Administrative Code Chapter 3745-19, permitting open burning, and no permission to open burn granted by the Ohio EPA, shall exempt any person from compliance with any section of the Ohio Revised Code, or any regulation of any State department, or any local ordinance or regulation dealing with open burning.**
- 3) **No person or property owner shall cause or allow open burning in a restricted area except as provided in hereof.**
- 4) **Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA:**
 - Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers and strikers, smudge pots and similar occupational needs.
 - 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.
- 5) **Prohibited open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fire hazardous shall be prohibited.**
 - a. **The fire code official is authorized to order the extinguishment of open burning that creates or adds to a hazardous or objectionable situation.**
- 6) **The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.**

Exceptions:

 - a. **Fire in approved containers that are not less than 15 feet from a structure.**
 - b. **The minimum required distance from a structure shall be 25 feet where the pile size is 3 feet or less in diameter and 2 feet in height.**
- 7) **Attendance, open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher with a 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.**

The full Ordinance can be found at https://codelibrary.amlegal.com/codes/milan/latest/milan_oh/0-0-0-20490