

Open Burn FAQ's
By Franklin Twp. Fire Prevention Bureau

Franklin Township uses the Kent Fire Departments updated Recreational Fire and Open Burning Regulations. Here is what you need to know.

1. Are recreational fires permitted in Franklin Township?

YES: The Ohio Administrative Code defines a recreational fire as an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes. (OAC 1301:7-7-03 (B) 1)

Open burning of ANY kind is prohibited on those days designated Ozone Action Days per the Ohio EPA.

2. If I want a recreational fire in my yard, are there restrictions?

- Notification of the Kent Fire Department is required **PRIOR** to the fire being kindled. Please call 330.673.8814 and submit name, address, and duration of the fire. The location of the open fire must be at least fifty (50) feet from any structure or any motor vehicle on adjacent property, and provisions must be made to prevent the spread of fire to within fifty (50) feet of structures and motor vehicles.
- Fires in approved containers (*an enclosure which surrounds and contains embers, hot ashes and sparks sufficiently to prohibit any spread of the fire beyond permissible dimensions*) shall be permitted provided they are at least fifteen (15) feet from any structure.
- Use only dry wood or charcoal for fuel.
- The fire shall be constantly attended by a competent person until the fire is extinguished. Fire extinguishing equipment shall be readily available/nearby. A garden hose or fire bucket can meet this requirement.
- The fire shall be limited to a size NOT larger than 3 feet in diameter and NO taller than two (2) feet high.

3. Can I burn trash, refuse or lawn waste?

NO: No person shall burn ANY refuse, rubbish, waste or other trash materials within the State of Ohio. This includes leaves, large limbs or lawn waste. (ORC 3734.03)

4. Can I have a "bonfire"?

YES: The Ohio EPA regulates open burning. Portage County is served by the Akron Regional Air Quality Management District. The detailed requirements are located [here](#).

5. If my neighbors complain, will the fire department investigate?

YES: The Fire Department will investigate all complaints of open burning. Provided the fire complies with the requirements for a "recreational" fire it will be permitted to burn. The Fire Department will prohibit open burning that is offensive and objectionable due to smoke or odor emissions when atmospheric conditions make such fires hazardous and endangering to persons. The Fire Department shall order the extinguishment of any open burning which it determines to be hazardous or endangering to persons.

6. Can I be cited for my fire?

YES: If you don't follow the requirements you could be cited. A fine may be levied and in addition a fine can be levied by the Ohio EPA. The Ohio EPA has the authority to enforce the State's Open Burning Laws. Violations can result in substantial penalties. If you have any questions, or would like to report a suspected open burning incident, contact your Ohio EPA district office 800.686.6330 or the City of Kent Fire Department 330.673.8814 or Franklin Fire Prevention Bureau at 330.676.7391

Additionally, Franklin Township will charge the property owner for fire service runs due to unauthorized burning when the number of such runs in a calendar year exceeds one (1) on any one parcel or for any single owner across more contiguous parcels. The cost charged will be the billing rate the City of Kent charges Franklin Township.