

VILLAGE OF HIGHLAND

ORDINANCE NO: 2002-07

AN ORDINANCE REGULATING OPEN BURNING

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND,
OHIO AS FOLLOWS:

SECTION 1: That existing Section 92.09 of the codified ordinances of the Village of Highland be and is hereby repealed.

SECTION 2: That Section 92.09 of the codified ordinances of the Village of Highland be and is hereby adopted and enacted as follows:

92.09 OPEN BURNING

(A) DEFINITIONS:

1. "Open burning" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney. Open burning includes the burning of any refuse, garbage, waste, trash and other salvageable material in any device other than a stack, chimney or other device that complies with the requirements of Open Burning Standards of the Ohio EPA as set forth in the Ohio Administrative Code.
2. Open burning does not include the use of fires solely for cooking or outdoor heating using solely charcoal, propane, electric, seasoned wood, oil, or similar combustible materials.

(B) OPEN BURNING PROHIBITED

1. It shall be unlawful for any person to engage in open burning in any part of the Village unless that person has a valid open burning permit issued by the Ohio EPA or an authorized representative of the Highland North Joint Fire District, and said burning is being conducted in compliance with said permit.
2. Section (A)(1) does not apply to burning caused by use of heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers or

strikers, smudge pots and similar occupational or business purposes.

3. Section (A) (1) does not apply to bonfires and Campfires, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational or similar purposes if the following conditions are met:
 - a. They are not for waste disposal purposes.
 - b. They have a maximum total fuel area of three feet or less in diameter and are two feet or less in height.

(C) PENALTY FOR VIOLATION

Whoever violates this provision shall be guilty of a minor misdemeanor on a first offense and shall be fined up to a maximum of \$150.00. Whoever is convicted of a second violation of this provision shall be guilty of a misdemeanor of the fourth degree and shall be subject to a fine of up to \$500.00 and also a jail term of thirty days, or both.