

### To Be Rescinded

1301:7-7-04 Open flames or burning.

(A) Section F-401.0 General

F-401.1 Scope: The following provisions shall control open flames, fire and burning on all premises.

(B) Section ~~FM~~ F-402.0 Open flame or light

(1) ~~FM~~ F-402.1 General: A person shall not take or utilize an open flame or light in any structure, vessel, boat or any other place where highly flammable, combustible or explosive material is utilized or stored. All lighting appliances shall be well-secured in a glass globe and wire mesh cage or a similar approved device.

(2) ~~FM~~ F-402.2 Heating and lighting apparatus: Heating and lighting apparatus and equipment ~~which~~ THAT is capable of igniting flammable materials of the types stored or handled shall not be utilized in the storage area of any warehouse storing rags, excelsior, hair or other highly flammable or combustible material; nor in the work area of any shop or factory utilized for the manufacture, repair or renovation of mattresses or bedding; nor in the work area of any establishment utilized for the upholstering of furniture.

(3) ~~FM~~ F-402.3 Candles: A person shall not utilize or allow to be utilized, any open flame, burning candle or candles in connection with any public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in assembly or educational occupancies without first obtaining approval.

~~FM~~ F-402.3.1 Egress: Candles shall not be permitted in areas where occupants stand, or in an aisle or exit.

(C) Section F-403.0 Open burning

(1) F-403.1 General: A person shall not cause or allow open burning unless approved in accordance with this code.

(2) F-403.2 Definitions: The following words and terms shall, for the purposes of this section and as stated elsewhere in this code, have the meanings shown herein.

Bonfire: An outdoor fire utilized for ceremonial purposes.

Open burning: The burning of any materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed, when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

Recreational fire: An outdoor fire utilized to cook food for human consumption.

(3) F-403.3 Allowable burning: Open burning shall be allowed without prior notification to the code official for recreational fires, highway safety flares, smudge pots and similar occupational needs.

(4) F-403.4 Approval required: Open burning shall be allowed after obtaining approval from the code official for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, providing heat for outworkers, and a bonfire.

(a) F-403.4.1 Application: Applications for open burning shall be submitted in writing at least ten days before the fire is set and shall be in such form and contain such information as required by the code official. Such applications shall contain, as a minimum, information regarding: the purpose of the proposed burning, the nature and quantities of material to be burned, the date when such burning will take place, the location of the burning site; and the on-site fire-extinguishing equipment to be provided.

(b) F-403.4.2 Authorization: Open burning shall be permitted with prior notification to the code official and upon receipt of written permission from the jurisdictional environmental protection agency (EPA) authority, provided that any conditions specified in the permission are followed for:

(i) Disposal of hazardous or toxic material where the EPA determines that there is no practical alternative method of disposal;

(ii) Instruction in methods of fire fighting or for research in control of fires, in emergency or other extraordinary circumstances for any purpose determined to be necessary by the EPA;

(iii) Disposal of landscape waste except residential and agricultural waste; OR

(iv) Recognized agricultural or horticultural management purposes to maintain or increase the quantity or quality of agricultural or horticultural production.

Where the jurisdictional EPA written permission is not applicable, the code official shall give written permission provided that approved fire safety requirements and emission standards will be met.

(c) F-403.4.3 Open burning prohibited: The code official shall prohibit open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The code official shall order the extinguishment, by the permit holder or the fire department, of any open burning which THAT creates or adds to a hazardous or objectionable situation.

(5) F-403.5 Location: The location for any open burning shall not be less than 50 feet (15240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15240 mm) of any structure. Fires in approved containers shall be permitted, provided that such fires are not less than 15 feet (4572 mm) from any structure.

(6) F-403.6 Materials: Open burning shall not be utilized for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

(7) F-403.7 Attendance: Any open burning shall be constantly attended until the fire is extinguished. At least one portable fire extinguisher with a minimum 4-A rating, two portable fire extinguishers with a minimum 2-A rating each, 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.

(8) F-403.8 Bonfire size and duration: A bonfire shall not be more than 5 feet (1524 mm) by 5 feet (1524 mm) by 5 feet (1524 mm) in dimension and shall not burn longer than 3 hours. The maximum size and duration of a bonfire shall not be increased by the code official unless it is determined that fire safety requirements of the situation and the desirable duration of burn warrant the increase.

(a) F-403.8.1 Material: Fuel for a bonfire shall consist only of seasoned dry firewood and shall be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes, and the fuel shall be chosen to minimize the generation of air contaminants.

(b) F-403.8.2 Permit: All permits shall be requested by and issued to the owner of the land upon which the bonfire is to be kindled.

(D) Section F-404.0 Torches for removing paint

(1) F-404.1 General: Any person utilizing a torch or other flame-producing device for removing paint from any structure shall provide at least one portable fire extinguisher with a minimum 4-A rating, two portable fire extinguishers with a minimum 2-A rating each, or a water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on the premises 1 hour after the torch or flame-producing device is utilized.

(2) F-404.2 Approval: Approval shall be secured from the code official prior to the utilization of a torch or flame-producing device to remove paint from any structure.

(E) Section F-405.0 Asphalt (tar) kettles

(1) F-405.1 General: Any asphalt (tar) kettle, beneath which is maintained any open fire, heated coals or ashes, shall not be transported or permitted to be transported over any highway, road or street.

Exception: Asphalt (tar) kettles utilized for street repair work shall be permitted to be transported in an open-fire condition, provided that the asphalt (tar) kettle unit is towed or moved at a speed not exceeding 20 miles per hour (32 kph) and a safety vehicle, with flashing, rotating or oscillating warning lights, follows the asphalt (tar) kettle when the open-fired asphalt (tar) kettle is being transported or moved.

(2) F-405.2 Restrictions: Asphalt (tar) kettles shall not be utilized inside or on the roof of any structure. Fired asphalt (tar) kettles shall not be left unattended.

(3) F-405.3 Fire protection: There shall be at least one portable fire extinguisher with a minimum 20-B:C rating within 30 feet (9144 mm) of each asphalt (tar) kettle during the period such kettle is being utilized, and one additional portable fire extinguisher with a minimum 20-B:C rating on the roof being covered. Every kettle shall be equipped with a tight-fitting cover. A kettle, when in operation, shall be placed a safe distance away from any structure or combustible material.

(4) F-405.4 ~~Lpg~~ LPG cylinder protection: Where liquefied petroleum gas (LPG) cylinders or containers are utilized for fueling asphalt (tar) kettles, the LPG cylinder shall be protected against tampering and vandalism.

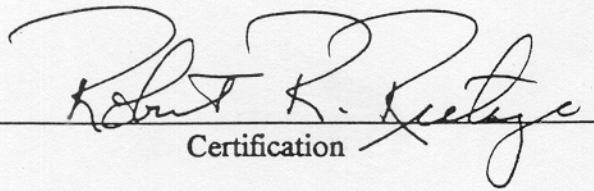
(a) When possible, all LPG cylinders and containers shall be placed in a secured area for protection against tampering.

(b) LPG cylinders or containers ~~which~~ THAT cannot be secured in a protected area shall have the dome covers locked and secured or, if the container does not have a dome cover, the valve handle shall be removed or secured in the off "OFF" position to prevent unauthorized opening of the LPG cylinders.

(c) The storage of LPG cylinders on roof tops shall be prohibited.

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Certification

November 17, 1999  
Date

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Certification

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Date

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