



## 2010 California Fire Code ~ Section 308

Open flame, fire and burning on all premises shall be in accordance with the following requirements

### PROHIBITED

- A person shall not take, light or use an open flame in a structure, vessel, boat or other place where highly flammable, combustible or explosive materials are used or stored (308.1.1)
- No person shall throw or place a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire (308.1.2)
- Open flame devices shall be prohibited in Group A, E, I, R-2, R-3.1 and R-4 occupancies [California Code of Regulation, Title 19, Division 1, 3.25(a) and (b)]

#### **EXCEPTIONS: 1) Fuel burning appliances**

#### **2) Approval from enforcing agency under special conditions listed below:**

- a) When necessary for ceremonial or theatrical purposes under restrictions to avoid danger of ignition of combustible materials or injury to occupants
- b) In approved and stable candle holders on individual tables of dining establishments

### TORCHES FOR REMOVING PAINT – 308.1.3

- Persons utilizing torches or other flame-producing devices to remove paint from a structure shall provide the following:
  - a) a minimum of one (1) portable fire extinguisher rated at 4-A or,
  - b) Two (2) portable fire extinguishers each with a minimum rating of 2-A or,
  - c) A water hose connected to the premises water supply where such work is done
- The person doing the burning shall remain on the premises at least 1 hour after the torch or flame producing device is utilized

### OPEN FLAME COOKING DEVICES (BBQS) – CFC 308.1.4

#### **DEFINITIONS:**

- **COMBUSTIBLE**~ able or likely to catch fire & burn. A substance or material that is able or likely to catch fire and burn
- **BALCONY**~ a platform projecting from the interior or exterior wall of a building, usually enclosed by a rail or parapet
- **NON-COMBUSTIBLE**~ For the purpose of these regulations, stucco covered walls/ceilings, concrete or tiled floors, and wood railings facing the exterior (not between units) are considered to be non-combustible construction.

**NOTE: certain composite deck & railing materials may also be considered non-combustible for the purpose of these regulations. Contact your local Building & Fire Safety Division for approval.**

- Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.

#### Exceptions:

- 1) Unless it is a one- or two-family dwelling or if
- 2) The building, balcony or deck is protected with an automatic fire sprinkler system.
- 3) LP-Gas cooking devices having LP-gas (propane) tanks (having a water capacity greater than 2.5 pounds or gas capacity greater than 1 pound) shall not be located on combustible balconies or within 10 feet of combustible construction unless it is at a one- or two-family dwelling.

**NOTE: Most barbecues are designed to operate using standard 20 pound (5 gallon) cylinders**

### LOCATION NEAR COMBUSTIBLES – 308.1.5

- Open flames from candles, lanterns, kerosene heaters, and gas-fired heaters shall not be located on or near decorative material or similar combustible materials (CFC 308.1.5)

### RELIGIOUS CEREMONIES – 308.1.7

- Hand-held candles are allowed in religious ceremonies as long as the fire code official approves it (CFC 308.1.7)
- Hand-held candles cannot be passed from one person to another when they are lit (CFC 308.1.7)
- Candles are prohibited in areas where occupants stand, or in an aisle or exit (CFC 308.1.7.1)

### PERMITS REQUIRED – CFC 308.2

- A permit shall be obtained prior to engaging in the following activities:
  - a) Use of a torch or flame producing device to remove paint from a structure
  - b) Use an open flame fire or burning in connection with Group A (Assemblies) & E (schools) occupancies.

### GROUP A OCCUPANCIES – CFC 308.3

- Open flame devices shall not be used in an ASSEMBLY Occupancy

#### EXCEPTIONS:

1. *Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:*
  - *Where necessary for ceremonial or religious purposes*
  - *On stages & platforms as a necessary part of a performance*
  - *Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected*
  - *Heat-producing equipment*
  - *Gas lights are allowed to be used provided adequate precautions have been taken to prevent ignition of combustible materials and are satisfactory to the Fire Code Official*

### OPEN-FLAME DECORATIVE DEVICES – 308.3.1

- Open-flame decorative devices shall comply with the following requirements:
  - Class 1 & 2 liquids and LP-Gas shall not be used
  - Liquid or solid-fueled lighting devices containing more than 8 ounces of fuel must self-extinguish and not leak fuel at a rate of more than .25 teaspoon per minute if tipped over.
  - The device or holder shall be constructed to prevent the spillage of liquid fuel or wax at the rate of more than .25 teaspoon per minute when the device or holder is not in an upright position.
  - The device or holder shall be designed so that it will return to the upright position after being tilted to an angle of 45 degrees from vertical.
    - ✓ **EXCEPTION: Devices that self-extinguish if tipped over and do not spill fuel or wax at the rate of more than .25 teaspoon per minute if tipped over.**
  - The flame shall be enclosed except where openings on the side are not more than .375 inch diameter or where openings are on the top and the distance to the top is such that a piece of tissue paper placed on the top will not ignite in 10 seconds
  - Chimneys shall be made of non-combustible materials and securely attached to the open-flame device.
    - ✓ **EXCEPTION: A Chimney is not required to be attached to any open-flame device that will self-extinguish if the device is tipped over**
  - Fuel canisters shall be safely sealed for storage
  - Storage and handling of combustible liquids shall be in accordance with CFC Chapter 34([see below](#))
    - Storage of flammable & combustible liquids shall be separated from incompatible materials (CFC 3404.2.6)
    - Grass, weeds, combustible materials and waste Class I, II or IIIA liquids shall not accumulate in an unsafe manner at a storage site (CFC 3404.2.6)
  - Signs shall be posted in storage areas prohibiting open flames & smoking
    - SIGN REQUIREMENTS (CFC 34035.1)
      - Made of durable materials
      - Shall be white lettering on a red background that reads “**DANGER – FLAMMABLE LIQUIDS**”.
      - Letters shall be not less than 3-inches in height and ½ -inch in stroke
      - Signs shall be posted in conspicuous locations for all to see (CFC 3403.5.2)
  - Shades, where used, shall be made of non-combustible materials and securely attached to the open-flame device holder or chimney
  - Candelabras with flame-lighted candles shall be securely fastened in place to prevent overturning and shall be located away from occupants using the area and away from possible contact with drapes, curtains, or other combustibles

### THEATRICAL PERFORMANCES – 308.3.2

- Where approved open-flamed devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken.

If you have any questions concerning the requirements for open flames please call Building & Fire Safety @ (619)441-1726.