

Section 308 Open flames

- (1) **308.1 General.** This *paragraph* shall control open flames, fire and burning on all premises.
- (2) **308.2 Where prohibited.** A person shall not take or utilize an open flame or light in a structure, vessel, boat or other place where highly flammable, combustible or explosive material is utilized or stored. Lighting appliances shall be well-secured in a glass globe and wire mesh cage or a similar approved device.
 - (a) **308.2.1 Throwing or placing sources of ignition.** No person shall throw or place, or cause to be thrown or placed, 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.
- (3) **308.3 Open flame.** A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in Group A or E occupancies without first obtaining a permit in accordance with *rule 1301:7-7-01 of the Administrative Code*.
 - (a) **308.3.1 Open-flame cooking devices.** Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. Where approved by the fire code official, charcoal burners are allowed to be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction where all of the following conditions are met:
 - 3.1 The charcoal burners are attended by an adult at all times when in operation.
 - 3.2 Portable fire extinguishers in the type, quantity and size as approved by the fire code official are present on the combustible balconies or at the cooking site located within 10 feet of combustible construction. Such portable fire extinguishers shall be in an operable condition at all times and maintained in accordance with NFPA 10 as listed in rule 1301:7-7-45 of the Administrative Code.

3.3 All non-structural combustible material must be removed from the combustible balconies or at the cooking site located within 10 feet of combustible construction.

- (i) **308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices.** LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds [nominal 1 pound (0.454 kg) LP-gas capacity] shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exception: One- and two-family dwellings.

- (b) **308.3.2 Open-flame decorative devices.** Open-flame decorative devices shall comply with all of the following restrictions:

- (i) Class I and Class II liquids and LP-gas shall not be used.
- (ii) Liquid- or solid-fueled lighting devices containing more than 8 ounces (237 ml) of fuel must self-extinguish and not leak fuel at a rate of more than 0.25 teaspoon per minute (1.26 ml per minute) if tipped over.
- (iii) The device or holder shall be constructed to prevent the spillage of liquid fuel or wax at the rate of more than 0.25 teaspoon per minute (1.26 ml per minute) when the device or holder is not in an upright position.
- (iv) 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 0.25 teaspoon per minute (1.26 ml per minute) if tipped over.

- (v) The flame shall be enclosed except where openings on the side are not more than 0.375 inch (9.5 mm) 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.
- (vi) Chimneys shall be made of noncombustible 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.

- (vii) Fuel canisters shall be safely sealed for storage.
 - (viii) Storage and handling of combustible liquids shall be in accordance with *rule 1301:7-7-34 of the Administrative Code*.
 - (ix) Shades, where used, shall be made of noncombustible materials and securely attached to the open-flame device holder or chimney.
 - (x) 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.
- (c) **308.3.3 Location near combustibles.** Open flames such as from candles, lanterns, kerosene heaters, and gas-fired heaters shall not be located on or near decorative material or similar combustible materials.
- (d) **308.3.4 Aisles and exits.** Candles shall be prohibited in areas where occupants stand, or in an aisle or exit.