

14-2020

AN ORDINANCE AMENDING ORDINANCE 16-2008 OF THE VILLAGE OF WILLIAMSPORT TO ADOPT THE 2017 OHIO FIRE CODE (OFC), AS ESTABLISHED BY THE OHIO DIVISION OF THE STATE FIRE MARSHAL DEPARTMENT OF COMMERCE, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Williamsport has previously adopted a fire opening burning ordinance as set forth in Ordinance 16-2008; and

WHEREAS, the Ohio Division of the State Fire Marshal, Department of Commerce, has issued a revised 2017 Ohio Fire Code for enforcement purposes within the Municipality:

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Williamsport, County of Pickaway, and State of Ohio as follows:

SECTION 1. That Ordinance 16-2008 of the ordinances of the Village of Williamsport is hereby repealed to provide as follows:

ADOPTION

There is hereby adopted by the municipality, the 2017 amended Ohio Fire Code (OFC) as established by the Ohio Division of State Fire Marshal, Department of Commerce, effective immediately, and as published in Division 1301:7-7 of the Ohio Administrative Code (OAC).

SECTION 2: That any previous Ordinance in conflict with this Ordinance is hereby repealed and has no further force or effect. All remaining portions of any other Ordinance not modified by this Ordinance shall remain in full force and effect.


SECTION 3: That this Ordinance is hereby declared to be an emergency measure, necessary for the protection of the public, peace, health and safety of the residents of the Village of Williamsport, such emergency arising out of the immediate need to ensure the enforceability of the current Ohio Fire Code, so that this ordinance shall take effect and be in force immediately from and after its passage and approval of the Mayor.

Passed in Council this 3rd day of August, 2020.

APPROVED: 8/3/2020


MAYOR, John Elliott

ATTEST: 8/3/2020


Fiscal Officer, Gayle Spangler

Required certificate of recording officer

I, Gayle Spangler, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Council of the Village of Williamsport, Ohio held on the 3rd day in the month of Aug. 2020 and that I am duly authorized to execute this certificate.

PASSED: _____

8/3/2020



Fiscal Clerk

1301:7-7-03 General requirements.

(A) Section 301 General

(1) **301.1 Scope.** The provisions of this *rule* shall govern the occupancy and maintenance of all structures and premises for precautions against fire and the spread of fire and general requirements of fire safety.

(2) **301.2 Permits.** Permits shall be required as set forth in *rule 1301:7-7-01 of the Administrative Code* for the activities or uses regulated by *paragraphs (F)(306), (G)(307), (H)(308) and (O)(315) of this rule.*

(B) Section 302 Definitions

(1) **302.1 Definitions.** The following terms are defined in *rule 1301:7-7-02 of the Administrative Code.*

"Bonfire."

"Hi-boy."

"High-voltage transmission line."

"Mobile food unit."

"Open burning."

"Portable outdoor fireplace."

"Powered industrial truck."

"Recreational fire."

"Sky lantern."

(C) Section 303 Asphalt kettles

(1) **303.1 Transporting.** Asphalt (tar) kettles shall not be transported over any highway, road or street when the heat source for the kettle is operating.

Exception: Asphalt (tar) kettles in the process of patching road surfaces.

(2) **303.2 Location.** Asphalt (tar) kettles shall not be located within 20 feet (6096 mm) of any combustible material, combustible building surface or any building opening. *Asphalt (tar) kettles shall be located within a controlled area identified by the use of traffic cones, barriers or other approved means.* Asphalt (tar) kettles and pots shall not be utilized inside or on the roof of a building or structure. Roofing kettles and operating asphalt (tar) kettles shall not block means of egress, gates, roadways or entrances.

(3) **303.3 Location of fuel containers.** Fuel containers shall be located not less than 10 feet (3048 mm) from the burner.

Exception: Containers properly insulated from heat or flame are allowed to be within 2 feet (610 mm) of the burner.

(4) **303.4 Attendant.** An operating kettle shall be attended by not less than one employee knowledgeable of the operations and hazards. The employee shall be within 100 feet (30 480 mm) of the kettle and have the kettle within sight. Ladders or similar obstacles shall not form a part of the route between the attendant and the kettle.

(5) **303.5 Fire extinguishers.** There shall be a portable fire extinguisher complying with *paragraph (F)(906) of rule 1301:7-7-09 of the Administrative Code* and with a minimum 40-B:C rating within 25 feet (7620 mm) of each asphalt (tar) kettle during the period such kettle is being utilized. Additionally, there shall be one portable fire extinguisher with a minimum 3-A:40-B:C rating on the roof being covered.

(6) **303.6 Lids.** Asphalt (tar) kettles shall be equipped with tight-fitting lids.

(7) **303.7 Hi-boys.** Hi-boys shall be constructed of noncombustible materials. Hi-boys shall be limited to a capacity of 55 gallons (208 L). Fuel sources or heating elements shall not be allowed as part of a hi-boy.

(8) **303.8 Roofing kettles.** Roofing kettles shall be constructed of noncombustible materials.

(9) **303.9 Fuel containers under air pressure.** Fuel containers that operate under air pressure shall not exceed 20 gallons (76 L) in capacity and shall be approved.

(D) Section 304 Combustible waste material

(1) **304.1 Waste accumulation prohibited.** Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

(a) **304.1.1 Waste material.** Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any type, *including but not limited to asphalt shingles*, shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle or other similar structure.

(b) **304.1.2 Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with the International Wildland-Urban Interface Code *as listed in rule [1301:7-7-80](#) of the Administrative Code*.

(c) **304.1.3 Space underneath seats.** Spaces underneath grandstand and bleacher seats shall be kept free from combustible and flammable materials. Except where enclosed in not less than 1-hour fire-resistance-rated construction in accordance with the *building code as listed in rule [1301:7-7-80](#) of the Administrative Code*, spaces underneath grandstand and bleacher seats shall not be occupied or utilized for purposes other than means of egress.

(2) **304.2 Storage.** Storage of combustible rubbish shall not produce conditions that will create a nuisance or a hazard to the public health, safety or welfare.

(3) **304.3 Containers.** Combustible rubbish, and waste material kept within or near a structure shall be stored in accordance with *paragraphs (D)(3)(a)(304.3.1) to (D)(3)(d)(304.3.4) of this rule*.

(a) **304.3.1 Spontaneous ignition.** Materials susceptible to spontaneous ignition, such as oily rags, shall be stored in a listed disposal container. Contents of such containers shall be removed and disposed of daily.

(b) **304.3.2 Capacity exceeding 5.33 cubic feet.** Containers with a capacity exceeding 5.33 cubic feet (40 gallons) (0.15 m³) shall be provided with lids. Containers and lids shall be constructed of noncombustible materials or of combustible materials with a peak rate of heat release not exceeding 300 kW/m² where tested in accordance with ASTM E 1354 *as listed in rule [1301:7-7-80](#) of the Administrative Code* at an incident heat flux of 50 kW/m² in the horizontal orientation.

Exception: Wastebaskets complying with *paragraph (H)(808) of rule [1301:7-7-08](#) of the Administrative Code*.

(c) **304.3.3 Capacity exceeding 1.5 cubic yards.** Dumpsters and containers with an individual capacity of 1.5 cubic yards [(40.5 cubic feet) ([1.15](#) m³)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

Exceptions:

1. Dumpsters or containers in areas protected by an approved automatic sprinkler system installed throughout in accordance with *paragraph (C)(3)(a)(i)(903.3.1.1), (C)(3)(a)(ii)(903.3.1.2) or (C)(3)(a)(iii)(903.3.13) of rule [1301:7-7-09](#) of the Administrative Code*.

2. Storage in a structure shall not be prohibited where the structure is of Type I or Type IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

(d) **304.3.4 Capacity of 1 cubic yard or more.** Dumpsters with an individual capacity of 1.0 cubic yard [200 gallons (0.76 m³)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines unless the dumpsters are constructed of noncombustible materials or of combustible materials with a peak rate of heat release not exceeding 300 kW/m² where tested in accordance with ASTM E 1354 *as listed in rule [1301:7-7-80](#) of the Administrative Code* at an incident heat flux of 50 kW/m² in the horizontal orientation.

Exceptions:

1. Dumpsters in areas protected by an approved automatic sprinkler system installed throughout in accordance with *paragraph (C)(3)(a)(i)(903.3.1.1), (C)(3)(a)(ii)(903.3.1.2) or (C)(3)(a)(iii)(903.3.1.3) of rule [1301:7-7-09](#) of the Administrative Code.*

2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

(E) Section 305 Ignition sources

(1) **305.1 Clearance from ignition sources.** Clearance between ignition sources, such as luminaires, heaters, flame-producing devices and combustible materials, shall be maintained in an approved manner.

(2) **305.2 Hot ashes and spontaneous ignition sources.** Hot ashes, cinders, smoldering coals or greasy or oily materials subject to spontaneous ignition shall not be deposited in a combustible receptacle, within 10 feet (3048 mm) of other combustible material including combustible walls and partitions or within 2 feet (610 mm) of openings to buildings.

Exception: The minimum required separation distance to other combustible materials shall be 2 feet (610 mm) where the material is deposited in a covered, noncombustible receptacle placed on a noncombustible floor, ground surface or stand.

(3) **305.3 Open-flame warning devices.** Open-flame warning devices shall not be used along an excavation, road, or any place where the dislodgment of such device might permit the device to roll, fall or slide on to any area or land containing combustible material.

(4) **305.4 Deliberate or negligent burning.** It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.

(5) **305.5 Unwanted fire ignitions.** Acts or processes that have caused repeated ignition of unwanted fires shall be modified to prevent future ignition.

(F) Section 306 Motion picture projection rooms and film

(1) **306.1 Motion picture projection rooms.** Electric arc, xenon or other light source projection equipment that develops hazardous gases, dust or radiation and the projection of ribbon-type cellulose nitrate film, regardless of the light source used in projection, shall be operated within a motion picture projection room complying with Section 409 of the *building code as listed in rule [1301:7-7-80](#) of the Administrative Code.*

(2) **306.2 Cellulose nitrate film storage.** Storage of cellulose nitrate film shall be in accordance with NFPA 40 *as listed in rule [1301:7-7-80](#) of the Administrative Code.*

(G) Section 307 Open burning, recreational fires and portable outdoor fireplaces

(1) **307.1 General.** A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with *paragraphs (G)(1)(a)(307.1.1) to (G)(5)(307.5) of this rule.*

(a) **307.1.1 Prohibited open burning.** Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

Exception: *Setting a back fire for the purpose of reducing the impact of wildland fire as set forth in sections [1503.11](#) and [1503.22](#) of the Revised Code or from any prescribed burn operations authorized under division (c) of section [1503.18](#) of the Revised Code.*

(b) **307.1.2 Ban on open burning, recreational fires, and portable outdoor fireplaces.** *The state fire marshal, in the sole discretion of the state fire marshal, may issue a ban on open burning, recreational fires, or the use of portable outdoor fireplaces at any time when the state fire marshal determines that atmospheric or drought or other environmental conditions necessitate such a ban. The ban may be issued state-wide or may be tailored to a specific area, region or county of the state as conditions warrant.*

(i) *No open burning or recreational fires shall occur and no portable outdoor fireplaces shall be used in any area where a ban is in effect or at any time during a period when the state fire marshal has issued a ban.*

(ii) *No permit authorizing open burning, recreational fires or the use of portable outdoor fireplaces shall be issued during any time or in any area where a ban has been issued by the state fire marshal.*

Exception: *A permit authorizing open burning, recreational fires, or the use of portable outdoor fireplaces may be issued for any area, if any, that is not subject to the ban.*

(iii) *Nothing in this paragraph shall prohibit a local fire code official with authority to do so from issuing a local ban on open burning, recreational fires, or the use of portable outdoor fireplaces at any time when conditions warrant, including during times when the state fire marshal has issued a ban as long as the local ban does not contradict the ban issued by the state fire marshal.*

(2) **307.2 Permit required.** A permit shall be obtained from the fire code official in accordance with [rule 1301:7-7-01](#) of the Administrative Code prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

(a) **307.2.1 Authorization.** Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

(3) **307.3 Extinguishment authority.** Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.

(4) **307.4 Location.** The location for open burning shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.

2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

(a) **307.4.1 Bonfires.** A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

(b) **307.4.2 Recreational fires.** Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

(i) **307.4.2.1 Fire pits.** *Recreational fires conducted in gas-fired recreational pits shall not be conducted within 15 feet of a structure or combustible materials.*

(c) **307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one-and two-family dwellings.

(5) **307.5 Attendance.** Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with *paragraph (F)(906) of rule 1301:7-7-09 of the Administrative Code* with a minimum 4-A rating 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.

(H) **Section 308 Open flames**

(1) **308.1 General.** Open flame, fire and burning on all premises shall be in accordance with *paragraphs (H)(1)(a)(308.1.1) to (H)(4)(a)(308.4.1) of this rule* and with other applicable *paragraphs* of this code.

(a) **308.1.1 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.

(b) **308.1.2 Throwing or placing sources of ignition.** A person shall not 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.

(c) **308.1.3 Torches for removing paint.** A person utilizing a torch or other flame-producing device for removing paint from a structure shall provide not less than one portable fire extinguisher complying with *paragraph (F)(906) of rule 1301:7-7-09 of the Administrative Code* and with a minimum 4-A rating, two portable fire extinguishers, each with a minimum 2-A rating, or a water hose connected to the water supply on the premises where such burning is done. The person doing the burning shall remain on the premises 1 hour after the torch or flame-producing device is utilized.

(d) **308.1.4 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 (3048 mm) 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 1301:7-7-80 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 (3048 mm) of combustible construction.*

4. LP-gas cooking devices having an LP-gas container with a water capacity not greater than 2½ pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

(i) **308.1.4.1 Natural gas fired open-flame cooking devices.** Where approved in writing by the fire code official, the installation and use of natural gas fired open flame cooking devices and/or appliances shall be permissible on combustible balconies of multi- (greater than two) family dwelling unit structures or within 10 feet (3048 mm) of combustible construction at multi-family dwelling unit structures, with the following conditions:

(a) The fire code official, in that official's discretion, may require that any person responsible for the use of a natural gas fire open flame cooking device or other appliance at a multi-family dwelling unit structure, to maintain comprehensive general liability insurance in an amount sufficient to cover any damages to persons or property that could be attributed to any fire caused by the use of an open flame cooking device.

(b) The fuel supply for the natural gas fueled open flame cooking device or appliance be from the natural gas fuel supply piping system connected to the building where the cooking is to occur. There shall be no storage tanks or cylinders located in or near the dwelling unit structure where the cooking is to occur.

(c) The gas pressure supplied to the natural gas fueled cooking appliance shall be no more than the pressure recommended by the cooking device/appliance manufacturer. In no case shall the maximum pressure supplied to the device or appliance exceed 2 pounds per square inch (psi).

(d) 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 (3048 mm) 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 [1301:7-7-80](#) of the Administrative Code.

(e) While the natural gas fired open flame cooking device or appliance is in use, all combustibles that are not part of the dwelling unit structure shall be kept 5 feet (1524 mm) away from the cooking device.

(f) Any and all building code requirements for the installation and use of natural gas fired grills, open flame cooking devices or appliances shall be complied with, including compliance with any permit and inspection requirements.

(e) **308.1.5 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.

(f) **308.1.6 Open-flame devices.** Torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildfire risk areas, except by a permit in accordance with rule [1301:7-7-01](#) of the Administrative Code secured from the fire code official.

Exception: Use within inhabited premises or designated campsites that are not less than 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

(i) **308.1.6.1 Signals and markers.** Flame-employing devices, such as lanterns or kerosene road flares, shall not be operated or used as a signal or marker in or upon wildfire risk areas.

Exception: The proper use of fusees at the scenes of emergencies or as required by standard railroad operating procedures.

(ii) **308.1.6.2 Portable fueled open-flame devices.** Portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

Exceptions:

1. LP-gas-fueled devices used for sweating pipe joints or removing paint in accordance with rule [1301:7-7-61](#) of the Administrative Code.
2. Cutting and welding operations in accordance with rule [1301:7-7-35](#) of the Administrative Code.
3. Torches or flame-producing devices in accordance with paragraph (H)(4)(308.4) of this rule.

4. Candles and open-flame decorative devices in accordance with *paragraph (H)(3)(308.3) of this rule.*

(iii) **308.1.6.3 Sky lanterns.** A person shall not release or cause to be released an untethered sky lantern.

(g) **308.1.7 Religious ceremonies.** When, in the opinion of the fire code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand-held candles. Hand-held candles shall not be passed from one person to another while lighted.

(i) **308.1.7.1 Aisles and exits.** Candles shall be prohibited in areas where occupants stand, or in an aisle or exit.

(h) **308.1.8 Flaming food and beverage preparation.** The preparation of flaming foods or beverages in places of assembly and drinking or dining establishments shall be in accordance with *paragraphs (H)(1)(h)(i)(308.1.8.1) to (H)(1)(h)(v)(308.1.8.5) of this rule.*

(i) **308.1.8.1 Dispensing.** Flammable or combustible liquids used in the preparation of flaming foods or beverages shall be dispensed from one of the following:

(a) A 1-ounce (29.6 ml) container.

(b) A container not exceeding 1-quart (946.5 ml) capacity with a controlled pouring device that will limit the flow to a 1-ounce (29.6 ml) serving.

(ii) **308.1.8.2 Containers not in use.** Containers shall be secured to prevent spillage when not in use.

(iii) **308.1.8.3 Serving of flaming food.** The serving of flaming foods or beverages shall be done in a safe manner and shall not create high flames. The pouring, ladling or spooning of liquids is restricted to a maximum height of 8 inches (203 mm) above the receiving receptacle.

(iv) **308.1.8.4 Location.** Flaming foods or beverages shall be prepared only in the immediate vicinity of the table being serviced. They shall not be transported or carried while burning.

(v) **308.1.8.5 Fire protection.** The person preparing the flaming foods or beverages shall have a wet cloth towel immediately available for use in smothering the flames in the event of an emergency.

(2) **308.2 Permits required.** Permits shall be obtained from the fire code official in accordance with *rule [1301:7-7-01](#) of the Administrative Code* prior to engaging in the following activities involving open flame, fire and burning:

(a) Use of a torch or flame-producing device to remove paint from a structure.

(b) Use of open flame, fire or burning in connection with Group A or E occupancies.

(c) Use or operation of torches and other devices, machines or processes liable to start or cause fire in or upon wildfire risk areas.

(3) **308.3 Group A occupancies.** Open-flame devices shall not be used in a Group A 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:

1.1 Where necessary for ceremonial or religious purposes in accordance with *paragraph (H)(1)(g)(308.1.7) of this rule.*

1.2 On stages and platforms as a necessary part of a performance in accordance with *paragraph (H)(3)(b) (308.3.2) of this rule.*

1.3 Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.

2. Heat-producing equipment complying with *rule [1301:7-7-06](#) of the Administrative Code* and the mechanical code as listed in rule [1301:7-7-80](#) of the Administrative Code.

3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.

(a) **308.3.1 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 (0.79 rad) 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 [1301:7-7-57](#) 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.

(b) **308.3.2 Theatrical performances.** Where approved *in accordance with the permit requirements of rule [1301:7-7-56](#) of the Administrative Code*, open-flame devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken in accordance with NFPA 160 as listed in rule [1301:7-7-80](#) of the Administrative Code.

(4) **308.4 Group R occupancies.** Open flame, fire and burning in Group R occupancies shall comply with the requirements of *paragraphs (H)(1)(308.1) to (H)(1)(f)(iii)(308.1.6.3) and (H)(4)(a)(308.4.1) of this rule*.

(a) **308.4.1 Group R-2 dormitories.** Candles, incense and similar open-flame-producing items shall not be allowed in sleeping units in Group R-2 dormitory occupancies.

(I) **Section 309 Powered industrial trucks and equipment**

(1) **309.1 General.** Powered industrial trucks and similar equipment including, but not limited to, floor scrubbers and floor buffers, shall be operated and maintained in accordance with paragraphs (I)(2)(309.2) to (I)(6)(309.6) of this rule.

(2) **309.2 Battery chargers.** Battery chargers shall be of an approved type. Combustible storage shall be kept not less than 3 feet (915 mm) from battery chargers. Battery charging shall not be conducted in areas accessible to the public.

(3) **309.3 Ventilation.** Ventilation shall be provided in an approved manner in battery-charging areas to prevent a dangerous accumulation of flammable gases.

(4) **309.4 Fire extinguishers.** Battery-charging areas shall be provided with a fire extinguisher complying with paragraph (F)(906) of rule [1301:7-7-09](#) of the Administrative Code having a minimum 4-A:20-B:C rating within 20 feet (6096 mm) of the battery charger.

(5) **309.5 Refueling.** Powered industrial trucks using liquid fuel, LP-gas or hydrogen shall be refueled outside of buildings or in areas specifically approved for that purpose. Fixed fuel-dispensing equipment and associated fueling operations shall be in accordance with rule [1301:7-7-23](#) of the Administrative Code. Other fuel-dispensing equipment and operations, including cylinder exchange for LP-gas-fueled vehicles, shall be in accordance with rule [1301:7-7-57](#) of the Administrative Code for flammable and combustible liquids or rule [1301:7-7-61](#) of the Administrative Code for LP-gas.

(6) **309.6 Repairs.** Repairs to fuel systems, electrical systems and repairs utilizing open flame or welding shall be done in approved locations outside of buildings or in areas specifically approved for that purpose.

(J) **Section 310 Smoking**

(1) **310.1 General.** The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in the areas indicated in paragraphs (J)(2)(310.2) to (J)(8)(310.8) of this rule.

(2) **310.2 Prohibited areas.** Smoking shall be prohibited where conditions are such as to make smoking a hazard, and in spaces where flammable or combustible materials are stored or handled.

(3) **310.3 "No Smoking" signs.** The fire code official is authorized to order the posting of "No Smoking" signs in a conspicuous location in each structure or location in which smoking is prohibited. The content, lettering, size, color and location of required "No Smoking" signs shall be approved.

Exception: In Group I-2 occupancies where smoking is prohibited, "No Smoking" signs are not required in interior locations of the facility where signs are displayed at all major entrances into the facility.

(4) **310.4 Removal of signs prohibited.** A posted "No Smoking" sign shall not be obscured, removed, defaced, mutilated or destroyed.

(5) **310.5 Compliance with "No Smoking" signs.** Smoking shall not be permitted nor shall a person smoke, throw or deposit any lighted or smoldering substance in any place where "No Smoking" signs are posted.

(6) **310.6 Ash trays.** Where smoking is permitted, suitable noncombustible ash trays or match receivers shall be provided on each table and at other appropriate locations.

(7) **310.7 Burning objects.** Lighted matches, cigarettes, cigars or other burning objects shall not be discarded in such a manner that could cause ignition of other combustible material.

(8) **310.8 Hazardous environmental conditions.** Where the fire code official determines that hazardous environmental conditions necessitate controlled use of smoking materials, the ignition or use of such materials in mountainous, brush-covered or forest-covered areas or other designated areas is prohibited except in approved designated smoking areas.

(K) **Section 311 Vacant premises**

(1) **311.1 General.** Temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with *paragraphs (K)(1)(a)(311.1.1) to (K)(6)(311.6) of this rule.*

(a) **311.1.1 Abandoned premises.** Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the International Property Maintenance Code and the *building code as listed in rule 1301:7-7-80 of the Administrative Code.*

(b) **311.1.2 Tenant spaces.** Storage and lease plans required by this code shall be revised and updated to reflect temporary or partial vacancies.

(2) **311.2 Safeguarding vacant premises.** Temporarily unoccupied buildings, structures, premises or portions thereof shall be secured and protected in accordance with *paragraphs (K)(2)(a)(311.2.1) to (K)(2)(c)(311.2.3) of this rule.*

(a) **311.2.1 Security.** Exterior and interior openings accessible to other tenants or unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. The fire code official is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.

(i) **311.2.1.1.** *Residential property subject to section 2308.02 of the Revised Code regarding an expedited foreclosure on vacant and abandoned property, shall be secured in accordance with section 2308.031 of the Revised Code. If a quick release device is manufactured for the product used to secure the property, the quick release device shall be installed.*

(b) **311.2.2 Fire protection.** Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

Exceptions:

1. When the premises have been cleared of all combustible materials and debris and, in the opinion of the fire code official, the type of construction, fire separation distance and security of the premises do not create a fire hazard.

2. Where approved by the fire chief, buildings that will not be heated and where fire protection systems will be exposed to freezing temperatures, fire alarm and sprinkler systems are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided the building has no contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons.

(c) **311.2.3 Fire separation.** Fire-resistance-rated partitions, fire barriers and fire walls separating vacant tenant spaces from the remainder of the building shall be maintained. Openings, joints, and penetrations in fire-resistance-rated assemblies shall be protected in accordance with *rule 1301:7-7-07 of the Administrative Code.*

(3) **311.3 Removal of combustibles.** Persons owning, or in charge or control of, a vacant building or portion thereof, shall remove therefrom all accumulations of combustible materials, flammable or combustible waste or rubbish and shall securely lock or otherwise secure doors, windows and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.

Exceptions:

1. Buildings or portions of buildings undergoing additions, alterations, repairs or change of occupancy in accordance with the *building code as listed in rule 1301:7-7-80 of the Administrative Code*, where waste is controlled and removed as required by *paragraph (D)(304) of this rule.*

2. Seasonally occupied buildings.

(4) **311.4 Removal of hazardous materials.** Persons owning or having charge or control of a vacant building containing hazardous materials regulated by rule [1301:7-7-50 of the Administrative Code](#) shall comply with the facility closure requirements of paragraph (A)(6)(5001.6) of rule [1301:7-7-50 of the Administrative Code](#).

(5) **311.5 Placards.** Any vacant or abandoned buildings or structures determined to be unsafe pursuant to paragraph (J)(110) of rule [1301:7-7-01 of the Administrative Code](#) relating to structural or interior hazards shall be marked as required by paragraphs (K)(5)(a)(311.5.1) to (K)(5)(e)(311.5.5) of this rule.

(a) **311.5.1 Placard location.** Placards shall be applied on the front of the structure and be visible from the street. Additional placards shall be applied to the side of each entrance to the structure and on penthouses.

(b) **311.5.2 Placard size and color.** Placards shall be 24 inches by 24 inches (610 mm by 610 mm) minimum in size with a red background, white reflective stripes and a white reflective border. The stripes and border shall have a 2-inch (51 mm) minimum stroke.

(c) **311.5.3 Placard date.** Placards shall bear the date of their application to the building and the date of the most recent inspection.

(d) **311.5.4 Placard symbols.** The design of the placards shall use the following symbols:

(i) [] This symbol shall mean that the structure had normal structural conditions at the time of marking.

(ii) [\] This symbol shall mean that structural or interior hazards exist and interior fire-fighting or rescue operations should be conducted with extreme caution.

(iii) [X] This symbol shall mean that structural or interior hazards exist to a degree that consideration should be given to limit fire fighting to exterior operations only, with entry only occurring for known life hazards.

(iv) Vacant marker hazard identification symbols: The following symbols shall be used to designate known hazards on the vacant building marker. They shall be placed directly above the symbol.

(a) R/O-Roof open

(b) S/M-Stairs, steps and landing missing

(c) F/E-Avoid fire escapes

(d) H/F-Holes in floor

(e) **311.5.5 Informational use.** The use of these symbols shall be informational only and shall not in any way limit the discretion of the on-scene incident commander.

(6) **311.6 Unoccupied tenant spaces in mall buildings.** Unoccupied tenant spaces in covered and open mall buildings shall be:

(i) Kept free from the storage of any materials.

(ii) Separated from the remainder of the building by partitions of not less than 0.5 -inch-thick (12.7 mm) gypsum board or an approved equivalent to the underside of the ceiling of the adjoining tenant spaces.

(iii) Without doors or other access openings other than one door that shall be kept key locked in the closed position except during that time when opened for inspection.

(iv) Kept free from combustible waste and be broom swept clean.

(L) Section 312 Vehicle impact protection

(1) **312.1 General.** Vehicle impact protection required by this code shall be provided by posts that comply with paragraph (L)(2)(312.2) of this rule or by other approved physical barriers that comply with paragraph (L)(3)(

312.3) of this rule.

(2) **312.2 Posts.** Guard posts shall comply with all of the following requirements:

- (a) Constructed of steel not less than 4 inches (102 mm) in diameter and concrete filled.
- (b) Spaced not more than 4 feet (1219 mm) between posts on center.
- (c) Set not less than 3 feet (914 mm) deep in a concrete footing of not less than a 15-inch (381 mm) diameter.
- (d) Set with the top of the posts not less than 3 feet (914 mm) above ground.
- (e) Located not less than 3 feet (914 mm) from the protected object.

(3) **312.3 Other barriers.** Barriers, other than posts specified in *paragraph (L)(2)(312.2) of this rule*, that are designed to resist, deflect or visually deter vehicular impact commensurate with an anticipated impact scenario shall be permitted where approved.

(M) Section 313 Fueled equipment

(1) **313.1 General.** Fueled equipment including, but not limited to motorcycles, mopeds, lawn-care equipment, portable generators and portable cooking equipment, shall not be stored, operated or repaired within a building.

Exceptions:

- 1. Buildings or rooms constructed for such use in accordance with the *building code as listed in rule [1301:7-7-80 of the Administrative Code](#)*.
- 2. Where allowed by *paragraph (N)(314) of this rule*.
- 3. Storage of equipment utilized for maintenance purposes is allowed in approved locations where the aggregate fuel capacity of the stored equipment does not exceed 10 gallons (38 L) and the building is equipped throughout with an automatic sprinkler system installed in accordance with *paragraph (C)(3)(a)(i)(903.3.1.1) of rule [1301:7-7-09 of the Administrative Code](#)*.

(a) **313.1.1 Removal.** The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

(2) **313.2 Group R occupancies.** Vehicles powered by flammable liquids, Class II combustible liquids or compressed flammable gases shall not be stored within the living space of Group R buildings.

(N) Section 314 Indoor displays

(1) **314.1 General.** Indoor displays constructed within any occupancy shall comply with *paragraphs (N)(2)(314.2) to (N)(4)(314.4) of this rule*.

(2) **314.2 Fixtures and displays.** Fixtures and displays of goods for sale to the public shall be arranged so as to maintain free, immediate and unobstructed access to exits as required by *rule [1301:7-7-10 of the Administrative Code](#)*.

(3) **314.3 Highly combustible goods.** The display of highly combustible goods, including but not limited to flammable or combustible liquids, liquefied flammable gases, oxidizing materials, pyroxylin plastics and agricultural goods, in main exit access aisles, corridors, covered and open malls, or within 5 feet (1524 mm) of entrances to exits and exterior exit doors is prohibited when a fire involving such goods would rapidly prevent or obstruct egress.

(a) **314.3.1 Display of fireworks for retail sale.** The display of fireworks for retail sale shall be in accordance with *rule [1301:7-7-56 of the Administrative Code](#)*.

(4) **314.4 Vehicles.** Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors except as follows:

- (a) Batteries are disconnected.
- (b) Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).
- (c) Fuel tanks and fill openings are closed and sealed to prevent tampering.
- (d) Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.

(O) **Section 315 General storage**

(1) **315.1 General.** Storage shall be in accordance with *paragraphs (O)(2)(315.2) to (O)(5)(315.5) of this rule.*

(2) **315.2 Permit required.** A permit for miscellaneous combustible storage shall be required as set forth in *rule [1301:7-7-01](#) of the Administrative Code.*

(3) **315.3 Storage in buildings.** Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

(a) **315.3.1 Ceiling clearance.** Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

(b) **315.3.2 Means of egress.** Combustible materials shall not be stored in exits or enclosures for stairways and ramps.

(c) **315.3.3 Equipment rooms.** Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in fire command centers as specified in *paragraph (G)(1)(e)(508.1.5) of rule [1301:7-7-05](#) of the Administrative Code.*

(d) **315.3.4 Attic, under-floor and concealed spaces.** Attic, under-floor and concealed spaces used for storage of combustible materials shall be protected on the storage side as required for 1-hour fire-resistance-rated construction. Openings shall be protected by assemblies that are self-closing and are of noncombustible construction or solid wood core not less than 1¾inches (44.5 mm) in thickness. Storage shall not be placed on exposed joists.

Exceptions:

- 1. Areas protected by approved automatic sprinkler systems.
- 2. Group R-3 and Group U occupancies.

(4) **315.4 Outside storage.** Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line.

Exceptions:

- 1. The separation distance is allowed to be reduced to 3 feet (914 mm) for storage not exceeding 6 feet (1829 mm) in height.
- 2. The separation distance is allowed to be reduced where the fire code official determines that no hazard to the adjoining property exists.

(a) **315.4.1 Storage beneath overhead projections from buildings.** Where buildings are protected by automatic sprinklers, the outdoor storage, display and handling of combustible materials under eaves, canopies or

other projections or overhangs are prohibited except where automatic sprinklers are installed under such eaves, canopies or other projections or overhangs.

(b) **315.4.2 Height.** Storage in the open shall not exceed 20 feet (6096 mm) in height.

(5) **315.5 Storage underneath high-voltage transmission lines.** Storage located underneath high-voltage transmission lines shall be in accordance with *paragraph (P)(6)(b)(316.6.2) of this rule*.

(6) **315.6 Storage in plenums.** Storage shall not be permitted in plenums. Abandoned material in plenums shall be deemed to be storage and shall be removed. Where located in plenums, the accessible portion of abandoned cables that are not identified for future use with a tag shall be deemed storage and shall be removed.

(P) Section 316 Hazards to fire fighters

(1) **316.1 Trapdoors to be closed.** Trapdoors and scuttle covers, other than those that are within a dwelling unit or automatically operated, shall be kept closed at all times except when in use.

(2) **316.2 Shaftway markings.** Vertical shafts shall be identified as required by this *paragraph*.

(a) **316.2.1 Exterior access to shaftways.** Outside openings accessible to the fire department and that open directly on a hoistway or shaftway communicating between two or more floors in a building shall be plainly marked with the word "SHAFTWAY" in red letters not less than 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible from the outside of the building.

(b) **316.2.2 Interior access to shaftways.** Door or window openings to a hoistway or shaftway from the interior of the building shall be plainly marked with the word "SHAFTWAY" in red letters not less than 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible.

Exception: Marking shall not be required on shaftway openings that are readily discernible as openings onto a shaftway by the construction or arrangement.

(3) **316.3 Pitfalls.** The intentional design or alteration of buildings to disable, injure, maim or kill intruders is prohibited. A person shall not install and use firearms, sharp or pointed objects, razor wire, explosives, flammable or combustible liquid containers, or dispensers containing highly toxic, toxic, irritant or other hazardous materials in a manner that could passively or actively disable, injure, maim or kill a fire fighter who forcibly enters a building for the purpose of controlling or extinguishing a fire, rescuing trapped occupants or rendering other emergency assistance.

(4) **316.4 Obstructions on roofs.** Wires, cables, ropes, antennas, or other suspended obstructions installed on the roof of a building having a roof slope of less than 30 degrees (0.52 rad) shall not create an obstruction that is less than 7 feet (2133 mm) high above the surface of the roof.

Exceptions:

1. Such obstruction shall be permitted where the wire, cable, rope, antenna or suspended obstruction is encased in a white, 2-inch (51 mm) minimum diameter plastic pipe or an approved equivalent.

2. Such obstruction shall be permitted where there is a solid obstruction below such that accidentally walking into the wire, cable, rope, antenna or suspended obstruction is not possible.

(5) **316.5 Security device.** Any security device or system that emits any medium that could obscure a means of egress in any building, structure or premise shall be prohibited.

(6) **316.6 Structures and outdoor storage underneath high-voltage transmission lines.** Structures and outdoor storage underneath high-voltage transmission lines shall comply with *paragraphs (P)(6)(a)(316.6.1) and (P)(6)(b)(316.6.2) of this rule*, respectively.

(a) **316.6.1 Structures.** Structures shall not be constructed within the utility easement underneath high-voltage transmission lines.

Exception: Restrooms and unoccupied telecommunication structures of noncombustible construction less than 15 feet (4572 mm) in height.

(b) **316.6.2 Outdoor storage.** Outdoor storage within the utility easement underneath high-voltage transmission lines shall be limited to noncombustible material. Storage of hazardous materials including, but not limited to, flammable and combustible liquids is prohibited.

Exception: Combustible storage, including vehicles and fuel storage for backup power equipment serving public utility equipment, is allowed, provided that a plan indicating the storage configuration is submitted and approved.

(Q) Section 317 Rooftop gardens and landscaped roofs

(1) **317.1 General.** Rooftop gardens and landscaped roofs shall be installed and maintained in accordance with paragraphs (Q)(2)(317.2) to (Q)(5)(317.5) of this rule and sections 1505 and 1507.16 of the building code as listed in rule [1301:7-7-80](#) of the Administrative Code.

(2) **317.2 Rooftop garden or landscaped roof size.** Rooftop garden or landscaped roof areas shall not exceed 15 625 square feet (1450 m²) in size for any single area with a maximum dimension of 125 feet (39 m) in length or width. A minimum 6-foot-wide (1.8 m) clearance consisting of a Class A-rated roof system complying with ASTM E 108 or UL 790 as listed in rule [1301:7-7-80](#) of the Administrative Code shall be provided between adjacent rooftop gardens or landscaped roof areas.

(3) **317.3 Rooftop structure and equipment clearance.** For all vegetated roofing systems abutting combustible vertical surfaces, a Class A-rated roof system complying with ASTM E 108 or UL 790 as listed in rule [1301:7-7-80](#) of the Administrative Code shall be achieved for a minimum 6-foot-wide (1829 mm) continuous border placed around rooftop structures and all rooftop equipment including, but not limited to, mechanical and machine rooms, penthouses, skylights, roof vents, solar panels, antenna supports and building service equipment.

(4) **317.4 Vegetation.** Vegetation shall be maintained in accordance with paragraphs (Q)(4)(a)(317.4.1) and (Q)(4)(b)(317.4.2) of this rule.

(a) **317.4.1 Irrigation.** Supplemental irrigation shall be provided to maintain levels of hydration necessary to keep green roof plants alive and to keep dry foliage to a minimum.

(b) **317.4.2 Dead foliage.** Excess biomass, such as overgrown vegetation, leaves and other dead and decaying material, shall be removed at regular intervals not less than two times per year.

(c) **317.4.3 Maintenance plan.** The fire code official is authorized to require a maintenance plan for vegetation placed on roofs due to the size of a roof garden, materials used or where a fire hazard exists to the building or exposures due to the lack of maintenance.

(5) **317.5 Maintenance equipment.** Fueled equipment stored on roofs and used for the care and maintenance of vegetation on roofs shall be stored in accordance with paragraph (M)(313) of this rule.

(R) Section 318 Laundry carts

(1) **318.1 Laundry carts with a capacity of 1 cubic yard or more.** Laundry carts with an individual capacity of 1 cubic yard [200 gallons (0.76 m³)] or more, used in laundries within Group B, E, F-1, I, M and R-1 occupancies shall be constructed of noncombustible materials or materials having a peak rate of heat release not exceeding 300 kW/m² at a flux of 50 kW/m² when tested in a horizontal orientation in accordance with ASTM E 1354 as listed in rule [1301:7-7-80](#) of the Administrative Code.

Exceptions:

1. Laundry carts in areas protected by an approved automatic sprinkler system installed throughout in accordance with paragraph (C)(3)(a)(i)(903.3.1.1) of rule [1301:7-7-09](#) of the Administrative Code.

2. Laundry carts in coin-operated laundries.

(S) Section 319 Laboratories using chemicals

(1) **319.1** *The operation and maintenance of all laboratories shall be in accordance with the requirements of NFPA 45 as listed in rule [1301:7-7-80](#) of the Administrative Code.*

(T) Section 320 Mobile food units

(1) **320.1 Scope.** *This paragraph applies to all mobile food units operated within this state.*

(2) **320.2 General.** *In addition to other applicable provisions of this code, all mobile food units being operated in this state shall comply with the provisions of this paragraph and with all applicable provisions of this code for the type of cooking performed.*

(a) **320.2.1 Obstructions of fire lanes and equipment.** *Mobile food units shall not block fire lanes, fire hydrants, or other fire protection devices and equipment.*

(b) **320.2.2 Operation of fuel source during transit.** *LP-gas fueled equipment shall not be operated during transit unless the equipment meets both of the following:*

(i) *The equipment is designed to be in operation while the vehicle is in transit, such as cargo heaters or coolers; and*

(ii) *There is a means installed to stop the flow of gas in the event of a line break, such as an excess flow valve.*

(c) **320.2.3 Carbon monoxide detection.** *All mobile food units shall be equipped with at least one listed carbon monoxide detection device.*

Exception: *Carbon monoxide detectors shall not be required in mobile food units that are not equipped with fossil fuel powered equipment (such as generators or vehicle fuel tanks) and that do not otherwise produce carbon monoxide during operation.*

(3) **320.3 Portable fire extinguishers.** *All mobile food units shall have a minimum of one 5-pound ABC portable fire extinguisher located within the unit and readily accessible by the operator of the unit.*

Exception: *Open air hand carts that do not have fossil fuel powered equipment.*

(a) **320.3.1 Class K portable fire extinguishers.** *In addition to the portable fire extinguisher required in paragraph (T)(3)(320.3) of this rule, all mobile food units that contain cooking equipment involving vegetable or animal oils and fats shall also be protected by at least one Class K rated portable fire extinguisher in accordance with paragraphs (D)(12)(e)(904.12.5) to (D)(12)(e)(ii)(904.12.5.2) of rule [1301:7-7-09](#) of the Administrative Code.*

(b) **320.3.2 Installation and maintenance.** *All portable fire extinguishers located within or at a mobile food unit shall be installed, serviced, tested, inspected and maintained in accordance with paragraph (F)(906) of rule [1301:7-7-09](#) of the Administrative Code.*

(4) **320.4 Egress.** *All mobile food units while operating commercial cooking equipment shall have two accessible means of egress remotely located from each other.*

(a) **320.4.1.** *No means of egress required by this paragraph shall be smaller than 5.7 square feet.*

(5) **320.5 Smoking.** *Smoking shall be prohibited inside of and within 10 feet of any mobile food unit that has any fuel source other than the vehicle fuel tank.*

(a) **320.5.1.** *"No Smoking" signs shall be conspicuously posted inside each mobile food unit, outside each mobile food unit in the vicinity of any location where compressed gas is stored or kept, and in a location that is visible to the public.*

(b) **320.5.2. "No Smoking" signs** shall be in English, shall have a dark background, and shall have lettering in a contrasting color that is at least 4 inches tall and with a minimum brush stroke width of 1 inch.

(6) **320.6 LP-Gas.** The storage, use and handling of LP-Gas in a mobile food unit shall comply with this rule and, except as otherwise provided herein, shall also comply with rules [1301:7-7-53](#), [1301:7-7-57](#), [1301:7-7-58](#) and [1301:7-7-61](#) of the Administrative Code.

(a) **320.6.1 Containers.** Only ASME certified or DOTn certified mobile LP-Gas containers in compliance with the following shall be used:

(i) A maximum allowable working pressure (MAWP) of 312 psi (2.2 MPag) or higher for LP-Gas containers installed in the enclosed spaces of a vehicle.

(ii) A maximum allowable working pressure (MAWP) of 250 psi (2.2 MPag) or higher for LP-Gas containers installed on the exterior of a vehicle.

(iii) Propane tanks must be kept in a secure manner at all times.

(iv) The maximum aggregate capacity of containers used in a mobile food unit to contain LP-Gas shall not exceed 200 gallons (0.8 m³) aggregate water capacity.

(b) **320.6.2 Location and installation.** Supply systems for mobile food units shall comply with the following:

(i) LP-Gas supply systems used for a mobile food unit, including the containers, shall be installed either on the outside of the vehicle or in a recess or cabinet that is vapor tight to the inside of the vehicle but accessible from and vented to the outside, with the vents located near the top and bottom of the enclosure and 1 m (3 ft) horizontally away from any opening into the vehicle.

(ii) Except as otherwise provided in paragraph (T)(6)(b)(iii)(320.6.2) of this rule, LP-Gas containers shall be mounted securely on the vehicle or within the enclosing recess or cabinet and secured with non-combustible material or devices, shall be kept in a secure manner at all times, and shall comply with the following:

(a) Cylinders shall be located to minimize exposure to excessive temperature rises, physical damage, or tampering.

(b) When secured to the rear of the vehicle, propane tanks shall be mounted with a minimum 30" clearance from the bottom of the tank to the ground.

(c) LP-Gas containers shall not be installed on the roof of the vehicle.

(d) Where LP-Gas containers are mounted within the vehicle housing, the housing shall be secure to the vehicle and any removable portions of the housing shall be secured to the housing while in transit

(e) All LP-Gas container valves, appurtenances, and connections shall be protected to prevent damage from accidental contact with stationary objects, loose objects, stones, mud, or ice thrown, up from the ground or floor, and damage due to overturn or similar vehicular accident.

(f) LP-Gas cylinders shall have permanent protection for cylinder valves and connections.

(g) Where LP-Gas cylinders are located on the outside of a vehicle, weather protection shall be provided.

(h) All materials or devices used to secure LP-Gas containers shall be made of non-combustible material.

(iii) LP Gas containers may be removed from the mobile food unit during operation activities. When so removed, propane tanks shall be secured to a stationary object or otherwise securely stabilized to prevent movement, overturn and damage at all times while operation activities are occurring.

(c) **320.6.3 Piping and connectors.** All piping installed in a mobile food unit shall comply with the following:

(i) Piping shall be installed in accordance with section 6.9.3 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.

(ii) Steel tubing shall have a minimum wall thickness of 1.2 mm (0.049 in.).

(iii) A flexible connector shall be installed between the regulator outlet and the fixed piping system to protect against expansion, contraction, jarring, and vibration strains.

(iv) Flexibility shall be provided in the piping between a cylinder and the gas piping system or regulator.

(v) Flexible connectors shall be installed in accordance with section 6.9.6 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code. Flexible connectors installed between apparatus and the piping system shall be installed in accordance with ANSI Z21-69-2015/CSA 6.6 -2015 as listed in rule 1301:7-7-80 of the Administrative Code.

(vi) Flexible connectors longer than the length allowed in the code, or fuel lines that incorporate hose, shall be used only where approved.

(vii) The fixed piping system shall be designed, installed, supported, and secured to minimize the possibility of damage due to vibration, strains, or wear and to preclude any loosening while in transit.

(viii) Piping shall be installed in a protected location.

(a) Fastening or other protection shall be installed to prevent damage due to vibration or abrasion.

(b) At each point where piping passes through sheet metal or a structural member, a rubber grommet or equivalent protection shall be installed to prevent chafing.

(ix) Hydrostatic relief valves shall be installed in isolated sections of liquid piping in accordance with section 6.13 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.

(x) Piping systems, including hose, shall be pressure tested and proven free of leaks in accordance with section 6.14 of NFPA 58 as listed in rule 1301:7-7-80 of the Administrative Code.

(d) **320.6.4 Emergency shut off controls.** Mobile food units using LP-Gas shall be provided with readily distinguishable and accessible marked exterior emergency shut off controls with a quarter-turn manual gas ball valve.

(i) **320.6.4.1 Signage.** Signs shall be permanently mounted at the location of the emergency shut off controls and shall state:

"EMERGENCY GAS SHUT-OFF VALVE"

(a) **320.6.4.1.1.** Signs shall be clearly visible and shall remain unobscured at all times. Signs shall be weather resistant, of contrasting colors, and shall be readable from a minimum distance of 25 feet.

(7) **320.7 Distance and separation requirements.** While parked and in operation mobile food units, exclusive of awnings and appurtenances, using or containing a fuel source or generator other than the vehicle fuel tank shall be separated from the entrances and other exits of buildings or structures and combustible materials by a clear space distance of 10 feet (3 m). While parked and in operation mobile food units using or containing a fuel source or generator other than the vehicle fuel tank shall be separated from other mobile food units by a clear space distance of 3 feet (0.9144 m).

(8) **320.8 Generators.**

(a) **320.8.1.** Generators servicing a mobile food unit shall not be fueled while the mobile food unit is in operation.

(b) **320.8.2.** Generators shall not be fueled while the generator is in use and shall not be fueled until the generator has been turned off and the surface temperature of the engine and fuel tank is below the autoignition temperature of the fuel.

(c) **320.8.3.** *No generator shall be operated or used or fueled within the occupant space of a mobile food unit.*

(9) **320.9 Electrical Wiring and Equipment.** *All electrical wiring and equipment shall be installed in accordance with NFPA 70 as listed in rule [1301:7-7-80](#) of the Administrative Code.*

Replaces: 1301:7-7-03

Effective: 1/5/2019

Five Year Review (FYR) Dates: 12/15/2022

Promulgated Under: [119.03](#)

Statutory Authority: [3737.83](#), [3737.82](#), [3737.22](#), [3737.65](#)

Rule Amplifies: [3737.83](#), [3737.82](#), [3737.65](#), [3737.22](#)

Prior Effective Dates: 07/01/1979, 06/01/1985, 06/15/1992, 07/01/1993, 11/27/1993, 09/01/1995, 01/09/1998, 01/03/2000, 09/01/2005, 07/01/2007, 11/01/2011, 12/15/2017

