

# OPEN BURNING

unless conducted and *approved* in accordance with Sections 307.1.1 through 307.5.

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

**Exception:** Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*.

**307.2 Permit required.** A permit shall be obtained from the *fire code official* in accordance with Section 105.6 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.

**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.

**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.

**307.4 Location.** The location for *open burning* shall be not 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.

**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.

**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.

**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.

**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 Section 906 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.

## SECTION 308 OPEN FLAMES

**308.1 General.** Open flame, fire and burning on all premises shall be in accordance with Sections 308.1.1 through 308.4.1 and with other applicable sections of this code.

**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.

**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.

**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 Section 906 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.

~~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. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

**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.

**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 Section 105.6 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.