accordance with the *International Building Code*, spaces underneath grandstand and bleacher seats shall not be occupied or utilized for purposes other than *means of egress*.

**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.

**304.3 Containers.** Combustible rubbish, and waste material kept within or near a structure shall be stored in accordance with Sections 304.3.1 through 304.3.4.

**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.

**304.3.2 Capacity exceeding 5.33 cubic feet.** Containers with a capacity exceeding 5.33 cubic feet (40 gallons) (0.15 $m^3$) 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 $kW/m^2$ when tested in accordance with ASTM E 1354 at an incident heat flux of 50 $kW/m^2$ in the horizontal orientation.

**Exception:** Wastebaskets complying with Section 808.

**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 $m^3$)] 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 Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
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.

**304.3.4 Capacity of 1 cubic yard or more.** Dumpsters with an individual capacity of 1.0 cubic yard [200 gallons (0.76 $m^3$)] 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 $kW/m^2$ when tested in accordance with ASTM E 1354 at an incident heat flux of 50 $kW/m^2$ in the horizontal orientation.

**Exceptions:**

1. Dumpsters in areas protected by an *approved automatic sprinkler system* installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
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.

## SECTION 305
## IGNITION SOURCES

**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.

**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.

**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.

**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.

## SECTION 306
## MOTION PICTURE PROJECTION ROOMS AND FILM

**306.1 Motion picture projection rooms.** Electric arc, xenon or other light source projection equipment which 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 *International Building Code*.

**306.2 Cellulose nitrate film storage.** Storage of cellulose nitrate film shall be in accordance with NFPA 40.

## SECTION 307
## OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

**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 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.** When 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 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.

**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 which 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 which 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.** 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.

**308.1.3 Torches for removing paint.** Persons utilizing a torch or other flame-producing device for removing paint from a structure shall provide a minimum of 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 which are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

**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.

**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 Chapter 61.
2. Cutting and welding operations in accordance with Chapter 35.
3. Torches or flame-producing devices in accordance with Section 308.4.
4. Candles and open-flame decorative devices in accordance with Section 308.3.

**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.

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

**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 Sections 308.1.8.1 through 308.1.8.5.

**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:

1. A 1-ounce (29.6 ml) container; or
2. 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.

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

**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.

**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.

**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.

**308.2 Permits required.** Permits shall be obtained from the *fire code official* in accordance with Section 105.6 prior to engaging in the following activities involving open flame, fire and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines or processes liable to start or cause fire in or upon wildfire risk areas.

**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 Section 308.1.7.
   1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
   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 Chapter 6 and the *International Mechanical 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.

**308.3.1 Open-flame decorative devices.** Open-flame decorative devices shall comply with all of the following restrictions:

1. Class I and Class II liquids and LP-gas shall not be used.
2. 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.
3. 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.
4. 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.

5. 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.
6. 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.
7. Fuel canisters shall be safely sealed for storage.
8. Storage and handling of *combustible liquids* shall be in accordance with Chapter 57.
9. Shades, where used, shall be made of noncombustible materials and securely attached to the open-flame device holder or chimney.
10. 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.

**308.3.2 Theatrical performances.** Where *approved*, 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.

**308.4 Group R occupancies.** Open flame, fire and burning in Group R occupancies shall comply with the requirements of Sections 308.1 through 308.1.6.2 and Section 308.4.1.

**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.

## SECTION 309
## POWERED INDUSTRIAL TRUCKS AND EQUIPMENT

**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 Section 309.2 through 309.6.

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

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

**309.4 Fire extinguishers.** Battery-charging areas shall be provided with a fire extinguisher complying with Section 906 having a minimum 4-A:20-B:C rating within 20 feet (6096 mm) of the battery charger.

**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 Chapter 23. Other fuel-dispensing equipment and operations, including cylinder exchange for LP-gas-fueled vehicles, shall be in accordance with Chapter 57 for flammable and *combustible liquids* or Chapter 61 for LP-gas.

**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.

## SECTION 310
## SMOKING

**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 Sections 310.2 through 310.8.

**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.

**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*.

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

**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.

**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.

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

**310.8 Hazardous environmental conditions.** When 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.

## SECTION 311
## VACANT PREMISES

**311.1 General.** Temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with Sections 311.1.1 through 311.5.5.