

# Part II—General Safety Provisions

## CHAPTER 3

# GENERAL REQUIREMENTS

### User note:

*About this chapter:* Chapter 3 provides general requirements for asphalt kettles, combustible waste material, ignition sources, motion picture projection rooms and film, open burning, recreational fires, portable outdoor fireplaces, open flames, powered industrial trucks and equipment, smoking, vacant premises, vehicle impact protection, fueled equipment, indoor displays, general storage, outdoor pallet storage, hazards to fire fighters, landscaped roofs, laundry carts, mobile food units, additive manufacturing (3D printing) and artificial combustible vegetation. These are intended to improve premises safety for everyone, including construction workers, tenants, operations and maintenance personnel, and emergency response personnel.

### SECTION 301 GENERAL

**301.1 Scope.** The provisions of this chapter 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.

**301.2 Permits.** Permits shall be required as set forth in Section 105.5 for the activities or uses regulated by Sections 306, 307, 308, 315 and 320. Also see ORS 476.380 and ORS 478.960.

ORS 476.380 and ORS 478.960 are not a part of this code but are reprinted or paraphrased here for the reader's convenience:

ORS 476.380 defines the parameters for obtaining a fire permit, limitations on burning and recordkeeping.

ORS 478.960 defines certain materials that are permitted to be burned only with the permission of the fire chief and burning schedules and restrictions.

### SECTION 302 DEFINITIONS

**302.1 Definitions.** The following terms are defined in Chapter 2:

3D PRINTER.

ADDITIVE MANUFACTURING.

BONFIRE.

FOOD CART POD.

FOOD SERVICE STRUCTURE.

HI-BOY.

HIGH-VOLTAGE TRANSMISSION LINE.

MISCELLANEOUS STORAGE.

MOBILE FOOD UNIT.

OPEN BURNING.

PORTABLE OUTDOOR FIREPLACE.

POWERED INDUSTRIAL TRUCK.

RECREATIONAL FIRE.

SKY LANTERN.

### SECTION 303 ASPHALT KETTLES

**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.

**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 and 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.

**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.

**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.

**303.5 Fire extinguishers.** There shall be a portable fire extinguisher complying with Section 906 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.

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

**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.

**303.8 Roofing kettles.** Roofing kettles shall be constructed of noncombustible materials.

**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*.

### SECTION 304 COMBUSTIBLE WASTE MATERIAL

**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.

**304.1.1 Waste material.** Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any type 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, or other similar structure.

**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 wildland-urban interface areas shall be in accordance with the *International Wildland-Urban Interface Code*.

**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 *International Building Code*.

**304.1.3.1 Spaces underneath grandstands and bleachers.** Spaces underneath grandstands and bleachers shall not be occupied or utilized for purposes other than *means of egress* except where equipped with an *automatic sprinkler system* in accordance with Section 903.2.1.5.1, or separated with fire barriers and *horizontal assemblies* in accordance with Section 1030.1.1.1.

**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<sup>3</sup>) 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<sup>2</sup> where tested in accordance with ASTM E1354 at an incident heat flux of 50 kW/m<sup>2</sup> 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<sup>3</sup>)] 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 that are placed inside buildings 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.
3. Dumpsters or containers that are located adjacent to buildings where the exterior area is protected by an *approved automatic sprinkler system*.

**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<sup>3</sup>)] 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<sup>2</sup> where tested in accordance with ASTM E1354 at an incident heat flux of 50 kW/m<sup>2</sup> 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.

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

**SECTION 306**

**MOTION PICTURE PROJECTION**

**ROOMS AND MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUNDSTAGES AND APPROVED PRODUCTION FACILITIES AND FILM**

**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 *International Building Code*.

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

**306.3 Motion picture and television production studio soundstages and approved production facilities.** Motion picture and television production soundstages and *approved* production facilities shall comply with NFPA 140.

**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 105.5 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 on 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 any fire 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 fire.

**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.

**User note:** Ceremonial fires, either bonfires or recreational fires, should consider the American Indian Religious Freedom Act of 1978, which requires policies of all governmental agencies to eliminate interference with the free exercise of Native religion, based on the First Amendment, and to accommodate access to and use of religious sites to the extent that the use is practicable and is not inconsistent with an agency's essential functions. Also see ORS 433.850.

**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 *dwelling*s.

**307.5 Attendance.** *Open burning*, bonfires, *recreational fires* and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section

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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. Private residences as defined in Oregon Revised Statute (ORS) 479.168(8).
2. Where buildings, balconies and decks are protected by an *automatic sprinkler system*.

**ORS 476.150(1)** and **ORS 479.168(8)** are not a part of this code but are reprinted or paraphrased here for the reader's convenience:

**ORS 476.150(1)** Entry and inspection of premises.

**ORS 479.168(8)** "Private residence" means that part of a single, double or multiple dwelling house or building occupied as living or sleeping quarters by one or more family units, exclusive of any portion of such house or building devoted to commercial processing or manufacturing use.

**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. See Section 605.5 for portable unvented heaters.

**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 on wildfire risk areas, except by a permit in accordance with Section 105.5 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.

**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 on wildfire risk areas.

**Exception:** The proper use of fuses 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.

**308.1.6.3 Sky lanterns.** A person shall not release or cause to be released a sky lantern. See ORS 476.735.

**ORS 476.735** is not a part of this code but is reprinted or paraphrased here for the reader's convenience:

**ORS 476.735** Sky lantern prohibition. (2) A person may not release a sky lantern into the airspace of this state.

**308.1.7 Religious ceremonies.** Where, 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.
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.