

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, fuelled equipment, indoor displays, miscellaneous storage, outdoor pallet storage, hazards to fire fighters, roof gardens and landscaped roofs, laundry carts and mobile food preparation vehicles. 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 105.6 for the activities or uses regulated by Sections 306, 307, 308 and 315.

SECTION 302 DEFINITIONS

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

BONFIRE.

HI-BOY.

HIGH-VOLTAGE TRANSMISSION LINE.

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 6,100 mm (20 feet) 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 3,050 mm (10 feet) from the burner.

Exception: Containers properly insulated from heat or flame are allowed to be within 610 mm (2 feet) 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 30,500 mm (100 feet) 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. The following fire extinguishers shall be provided in close proximity to the in-service asphalt (tar) kettles and roofs being covered with hot tar:

- a. A portable fire extinguisher complying with Section 906 and with a minimum 40-B:C rating and within 7,625 mm (25 feet) of each asphalt (tar) kettle during the period its utilization.
- b. A portable fire extinguisher with a minimum 3-A:40-B:C rating on the roof being and within 3,050 mm (10 feet) of the section being covered with the hot tar.

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 208 L (55 gallons). 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 76 L (20 gallons) 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, manufactured home, recreational vehicle 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 urban-wildland 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 *Jamaica 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 1029.1.1.1.

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 0.15 m³. Containers with a capacity exceeding 0.15 m³ (5.33 cubic feet) [150 L (40 gallons)] 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 E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation.

Exception: Wastebaskets complying with Section 808.

304.3.3 Capacity exceeding 1.15 m³. Dumpsters and containers with an individual capacity of 1.15 m³ (1.5 cubic yards) [1,150 L (40.5 cubic feet)] or more shall not be stored in buildings or placed within 1,525 mm (5 feet) 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 3,050 mm (10 feet) 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 0.75 m³ or more. Dumpsters with an individual capacity of 0.75 m³ (1.0 cubic yard) [750 L (200 gallons)] or more shall not be stored in buildings or placed within 1,525 mm (5 feet) 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 E1354 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 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 3,050 mm (10 feet) 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 Depositing hot ashes and spontaneous ignition waste in receptacles. It shall be unlawful for hot ashes, cinders, smoldering coals or greasy or oily materials subject to spontaneous ignition to be deposited in a dumpster, skip or other waste receptacle, within 3,050 mm (10 feet) of combustible material including combustible walls and partitions or within 610 mm (2 feet) of openings to buildings.

Exception: The minimum required separation distance to other combustible materials shall be 610 mm (2 feet) 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 a dumpster or skip or cause the burning of combustible material in or outside a community garbage container in such a manner as to endanger the health or 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 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 *Jamaica 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 authorise to be kindled or maintained any *open burning* unless *approved* by the authority having jurisdiction and conducted in accordance with Sections 307.1.1 through 307.5.

307.1.1 Prohibited open burning. Open burning for the clearance of agricultural lands for farming or to get rid of garbage or that is offensive, hazardous or objectionable because of smell, harmful emissions, smoke emissions, risky to contain due to drought or other atmospheric conditions or likely to result in major soil erosion or landslides or any other reasonable adverse local circumstances is prohibited.

Exception: Prescribed and controlled burning by the Jamaica Fire Brigade for the purpose of reducing the impact of wildland fire.

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 reaping of sugarcane prevention or control of disease or pests or coal burning or camp fire or recreational fire or a bonfire. Application for such approval shall be processed forthwith if it meets the following conditions:

- a) The application has the approval of the landowner or his authorised representative.
- b) The location for the fire is clearly specified.

c) The applicant agrees to all the conditions for kindling, maintaining, controlling and extinguishing the fire.

d) There is no evidence of prior abuse of permit conditions such as unauthorised clearing of land for agriculture by open burning or open burning that is offensive, hazardous or objectionable because of smell, harmful emissions, smoke emissions, failing to properly assess the risk for containing the fire under drought conditions or other atmospheric conditions, failure to assess the risk of major soil erosion or landslides due to the removal of vegetation coverage or any other reasonable local circumstances that resulted in a harmful or damaging fire.

e) Agreement to cooperate with the investigation of any unwanted or uncontrolled fire arising from the use of a permit received by the applicant.

f) Agreement to defray all reasonable cost levied or fined by the authority having jurisdiction for having to fight and extinguish any unwanted or uncontrolled fire arising from use of the permit.

307.2.1 Authorization. Where required by National Acts or local regulations, *open burning* shall only be permitted with prior approval from the authority having jurisdiction and the timely notification of the Jamaica Fire Brigade, Water Resource Authority, National Water Commission (water utility) the Ministry of Agriculture & Lands, provided that all conditions specified in the permit are followed.

307.3 Extinguishment authority. The authority having jurisdiction shall extinguish or cause to extinguish a fire for which a required permit for open burning has not been obtained or a fire for which a permit has been granted that is established to be hazardous or create an objectionable situation.

307.4 Location. The location for *open burning* shall be not less than 15,250 mm (50 feet) from any structure, and provisions shall be made to prevent the fire from spreading to within 15,250 mm (50 feet) of any structure.

Exceptions:

- 1. Fires in *approved* containers that are not less than 4,575 mm (15 feet) from a structure.
- 2. The minimum required distance from a structure shall be 7,600 mm (25 feet) where the pile size is 915 mm (3 feet) or less in diameter and 610 mm (2 feet) or less in height.

307.4.1 Bonfires. A bonfire shall not be conducted within 15,250 mm (50 feet) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 15,250 mm (50 feet) of a structure shall be eliminated prior to ignition.

307.4.2 Recreational fires. *Recreational fires* shall not be conducted within 7,600 mm (25 feet) of a structure or combustible material. Conditions that could cause a fire to spread within 7,600 mm (25 feet) 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 4,555 mm (15 feet) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one- and two-family *dwelling*s.

307.4.4 Fixed outdoor fireplaces. The design drawings for fixed outdoor fireplaces shall be approved by the Local Authority and the Jamaica Fire Brigade prior to construction. The submitted drawings shall clearly show that the fireplace is located at least 3,050 mm (10 feet) from the nearest combustible surface.

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 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.

307.6 Legal review needed for recording of permit infringement. The authority having jurisdiction shall record after the expiration of a permit any infringement that occurred during the execution of the permit. The nature and extent of the infringement shall be clearly stated, assessed, and outlined, and any damage arising therefrom shall be quantified. Note shall also be made if the permit holder has been fined, the extent of the fine, and when the fine was discharged. If the permit holder has not discharged the fine within 3 months, it shall be levied as a simple debt and collected through the Parish Court.

307.7 Legal review needed for consequence of permit infringements. Permit holders committing an infringement shall be subject to one of the following decisions of the authority that issued the open fire permit:

- a) A written notice of the infringement committed and its total discharged cost with a warning that any future repetition will result in penal measures being applied.
- b) A written notice of the infringement committed, the assessed damage done by the infringement, and the total cost to be paid to discharge all obligations. The discharge of any fine levied shall be recorded and made available to the person who committed the infringement, any member of the public on request, and to the processor of any future open fire permit.
- c) A permit application shall be considered only if the applicant has no outstanding infringement fine.
- d) The authority having jurisdiction shall be at liberty to refuse an open fire permit to an applicant even where he/she has no outstanding infringements to be discharged.

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 in highly flammable places 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 cool down the surface heated by an appropriate period of water spray or dousing with a saturated cloth as well as remain on the premises for 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 3,050 mm (10 feet) of combustible construction.

Exceptions:

1. One- and two-family *dwelling*s.
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 1.135 kg (2½ pounds).
4. LP-gas cooking devices having an external LP-gas container not greater than 10 kg (25 lbs.)
5. LP-gas cooking devices supplied from a community LP-gas tank above or below ground level.

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 on 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 9,150 mm (30 feet) 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 fuelled open-flame devices. Portable open-flame devices fuelled 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-fuelled 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 an untethered sky lantern.

308.1.7 Religious (and other) ceremonies. Where, in the opinion of the *fire code official*, adequate safeguards have been taken to avoid kindling a fire, participants in religious or other ceremonies may be allowed to carry hand-held candles. Lighted hand-held candles however shall not be passed from one person to another in such ceremonies.

308.1.7.1 Aisles and exits. Lighted candles shall be prohibited in areas of buildings where occupants stand, or in an *aisle* or *exit*. In circumstances where transient occupation of aisles and exits are allowed by persons with lighted candles, such occupation shall be made as short as possible.

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 29.5 ml (1-ounce) container.
2. A container not exceeding 946.5 ml (1-quart) capacity with a controlled pouring device that will limit the flow to a 29.5 ml (1-ounce) 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 205 mm (8 inches) 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 on 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 that *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 *Jamaica Mechanical Code*.
3. Gas lights are allowed to be used provided that 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-fuelled lighting devices containing more than 235 ml (8 ounces) of fuel must self-extinguish and not leak fuel at a rate of more than 1.25 ml per minute (0.25 teaspoon 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 1.26 ml per minute (0.25 teaspoon 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 (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 1.25 ml per minute (0.25 teaspoon per minute) if tipped over.
5. The flame shall be enclosed except where openings on the side are not more than 9.5 mm (0.375-inch) 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 where 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 308.1.6.3 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 309.7.

309.2 Use in hazardous (classified) locations. Powered industrial trucks used in areas designated as hazardous (classified) locations in accordance with NFPA 70 shall be listed and labeled for use in the environment intended in accordance with NFPA 505.

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

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

309.5 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 6,100 mm (20 feet) of the battery charger.

309.6 Refuelling. Powered industrial trucks using liquid fuel, LP-gas or hydrogen shall be refuelled outside of buildings or in areas specifically *approved* for that purpose. Fixed fuel-dispensing equipment and associated fuelling operations shall be in accordance with Chapter 23. Other fuel-dispensing equipment and operations, including cylinder exchange for LP-gas-fuelled vehicles, shall be in accordance with Chapter 57 for flammable and *combustible liquids* or Chapter 61 for LP-gas.

309.7 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 lighting up or carrying of a lighted pipe, cigar, cigarette, electronic cigarette or any other type of smoking paraphernalia or material is prohibited in the areas indicated in Sections 310.2 through 310.8 of this code.

310.2 Prohibited areas. Smoking is prohibited within a 5000 millimetre (16.5 feet) radius of the entrance, exit, window or ventilation intake of a building used by the public or the workplace or conveyance including but not limited to the list of prohibited places outlined in Section 310.2.1 of this code. Smoking is also prohibited where conditions are such as to make smoking a hazard, and in spaces where flammable or combustible materials are stored or handled.

Persons who smoke in prohibited spaces shall commit an offence under the Public Health Act and if found guilty by a Parish Court will be subject to the fine prescribed by this Act.