



# Fire Department

## HEADQUARTERS

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## CODE SUMMARY

### PERMITS – Candles and Open Flame Devices

A code summary is a compilation of code sections related to a specific occupancy or permit. This code summary lists sections of code pertaining to occupancies and operations as defined by the **California Fire Code**. Under each heading you will find the correlating code language and the reference cited. These requirements pertain to existing buildings. New construction may be subject to additional requirements. Please feel free to direct any questions to the Fire Prevention Division at (805) 681-5500.

#### **PURPOSE:**

The purpose of this guide line is to assist business owners and others with understanding the requirements for the use of candles and open flames in assembly areas, dining areas of restaurants and drinking establishments.

#### **SCOPE:**

The requirements found in this guideline apply to all assembly areas for 50 or more people, the dining areas of all restaurants and all drinking establishments, Group E, and Group R occupancies.

#### **DEFINITIONS:**

##### **Assembly Area:**

The gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, and drinking dining or awaiting transportation.

##### **Open Flame Devices:**

- A. Torches, butane and other pressurized gas burners and/or cooking surfaces.
- B. Fireplaces and similar heat and/or flame producing equipment.
- C. Displays which incorporate fire. Any other devices which produces, maintains or incorporates flame, heat and other products of combustion (candles).

#### **GENERAL:**

Open-flame devices shall be prohibited in every Group A, E, R-2.1, R-3.1 and R-4 Occupancy. (CFC 308.1.1)

Exceptions:

- A. Fuel burning elements of approved appliances shall not be considered as open-flame devices.
- B. Upon approval of the enforcing agency, open flame devices may be used under the following conditions:
  - I. When necessary for ceremonial or theatrical purposes under such restrictions as may be deemed necessary to avoid danger of ignition of combustible materials.
  - II. In approved and stable candle holders on individual tables of dining establishments.
- C. Group R occupancies shall comply with the requirements of CFC Sections 308.1 through 308.1.6.2. Contact SBC Fire Prevention Division for details (CFC 308.4).

Exception: **Group R-2 Dormitories:** Candles, incense and similar open-flame producing devices shall not be allowed in sleeping units in Group R-2 dormitory occupancies. (CFC 308.4.1)

**Open-Flame Devices (candles) shall not be used in a Group A Occupancy, dining areas of all restaurants, and all drinking establishments unless all of the following are complied with:** (CFC 308.3)

1. **A permit is required from the fire department prior to the operation of any amusement building.** (CFC 105.6.32)
2. **Class I and Class II liquids and LPG-gas shall not be used.** [CFC 308.3.1(1)]
3. **The flame shall be enclosed on all sides except as follows:**
  - A. Openings on the top and the distance to the top shall be such that a piece of tissue paper placed on the top will not ignite in 10 seconds.
  - B. Openings on the side shall not be more than 3/8-inch diameter. [CFC 308.3.1(5)]
4. **Chimneys shall be made of noncombustible materials. Such chimneys shall be securely attached to the open-flame device except as follows**
  - A. The chimney need not be attached to any open-flame device that will self-extinguish if the device is tipped over. [CFC 308.3.1(6)]
5. **Shades shall be made of noncombustible materials and securely attached to the open-flame device holder or chimney.** [CFC 308.3.1(9)]
6. **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 except as follows:**
  - A. Units that self-extinguish if tipped over and do not spill fuel or wax at the rate of more than ¼ teaspoon per minute if tipped over. [CFC 308.3.1(4)]
7. **Liquid-or solid-fueled lighting devices containing more than eight ounces must self-extinguish and not leak fuel at a rate of more than ¼ teaspoon per minute if tipped over.** [CFC 308.3.1(2)]
8. **The devices or holder shall be constructed to prevent the spillage of liquid fuel or wax at the rate of more than ¼ teaspoon per minute when the device or holder is not in an upright position.** [CFC 308.3.1(3)]
9. **Elevated or hanging elevated candles will not be approved.**

**Religious Ceremonies:**

When, in the opinion of the Fire Code Official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry handheld candles. Handheld candles shall not be passed from one person to another while lighted.

**Theatrical Performances:**

When approved by the Fire Code Official, candles and other open-flame devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken.