



CODE SUMMARY

OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES

A code summary is a compilation of code sections related to a specific topic and does not contain any interpretations or District standards. This code summary lists sections of code pertaining to Open Burning, Recreational Fires, and Portable Outdoor Fireplaces and puts them into simple, easy to understand language. The bold headings are intended to be straightforward and uncomplicated. Under each heading you will find the correlating code language and the reference cited. Please feel free to direct any questions to the Community Risk Reduction Division.

DEFINITIONS (California Fire Code Chapter 2)

Bonfire: An outdoor fire utilized for ceremonial purposes.

Open Burning: The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge-pots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces.

Portable Outdoor Fireplace: A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

Recreational Fire: An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

1. A permit is required for any open burning.

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 upon which the fire is to be kindled. (California Fire Code 307.2)

2. A permit from the Bay Area Air Quality Management District (BAAQMD) is also required.

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. (California Fire Code 307.2.1)

3. Permits may be revoked by the Fire District if the fire creates a hazard or objectionable situation.

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. (California Fire Code 307.3)

4. Fires must be constantly attended until completely extinguished and a fire extinguisher or extinguishing source must be available.

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. (California Fire Code 307.5)

5. A 50-foot clearance is required between the fire and any structure.

The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure. (California Fire Code 307.4)

6. A bonfire must be at least 50 feet away from a combustible structure unless it's contained in a barbeque pit.

A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions that could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition. (California Fire Code 307.4.1)

7 Recreational fires must be at least 25 feet from a combustible structure.

Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition. (California Fire Code 307.4.2)

8. Portable outdoor fireplaces shall be used per the manufacturer's instructions and cannot be used within 15 feet of a structure or combustible material. There are no restrictions on portable outdoor fireplaces when used at a one- or two-family dwelling.

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one-and two-family dwellings. (California Fire Code 307.4.3)