

DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
PO BOX 809
TRENTON, NEW JERSEY 08625-0809
609-633-6132
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Cooking Vendor Guidelines



The following are minimum guidelines for each cooking vendor at festivals, carnivals, etc.
Site plan may be required by the Fire Official prior to event.

FIRE SAFETY PERMIT:

N.J.A.C. 5:70-2.7(a); All cooking vendors shall be required to obtain a fire safety permit issued by the NJ Division of Fire Safety. All permits shall be made available to the fire official upon inspection.

N.J.A.C. 5:70-2.9(c)1; 1E05/1L12 Type Permit Fee \$42.00-NO CASH will be accepted-vendor shall provide a check or money order payable to the "Treasurer, State of NJ".

N.J.A.C. 5:70-2.7(f); The fire official upon inspection may not approve or may revoke a permit at any time, due to unabated fire code violations or unsafe conditions.

FIRE EXTINGUISHER: All cooking vendors shall supply their own fire extinguishers.

N.J.A.C. 5:70-3.1(a) 5, F-519.2; All fire extinguishers shall comply with NFPA 10/1994. All fire extinguishers shall have a valid dated inspection tag, good of one year.

N.J.A.C. 5:70-3.1(a) 5, F-519.2.1-5; Minimum Fire Extinguisher Rating for cooking operations.

40B:C Dry Chemical Sodium Bicarbonate (Regular) or,

40B:C Potassium Bicarbonate (Purple K)

2A:K Class K (wet Chemical-potassium acetate mixed with water) Required with deep fryer, vegetable or animal oils & fats.

Note: abc dry chemical (mono ammonium phosphate) not for cooking operations

PROPANE TANK:

N.J.A.C. 5:70-3.1(a) 27, F-2703.4; Propane tanks shall be secured, to prevent knocking over.

N.J.A.C. 5:70-3.1(a) 36, F-3601.1; Propane tanks and equipment shall comply with NFPA 58/1995.

N.J.A.C. 5:70-3.1(a) 36, F-3606.3; Propane tanks shall not be taken into buildings/tents.

Propane tanks between 4 and 40 lbs shall have an Overfill Protection Device for filling in NJ.

Propane tanks shall be hydro tested every 12 years, and not dented or badly rusted.

Regulator shall be in good condition and the relief valve shall face away from the public areas.

Hoses shall not be frayed or cracked, and there shall not be any type of tape on the hose.

Hoses shall not be covered with grease and shall not be swollen.

Hoses shall not create a tripping hazard.

APPLIANCES:

N.J.A.C. 5:70-3.2(a) 1, F-102.1.1-1 Dangerous conditions, all appliances shall be listed and approved (no home made appliances).

VEHICLES:

No vehicles shall be parked in cooking vendor area unless approved.

STERNO WARMERS:

Sterno warmers may be used provided the fuel containers are properly protected from being knocked over and if the fuel containers are properly enclosed within the warmer units.

The public shall be protected from grill tops and open flames at all times.

Only approved lighter fluid shall be used for charcoal grills.

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Tents/Canopies Guidelines



NJ UNIFORM FIRE CODE: TENTS/CANOPIES

TENTS/CANOPIES – TYPE 1015 FIRE SAFETY PERMIT, \$42.00. An application for permit shall be completed and submitted to the NJ Division of Fire Safety. Site plan and seating diagram may be required.

All tents/canopies greater than 900 square feet with or without side panels will require a separate permit for each. (up to 16800 square feet)

All tents/canopies greater than 30 feet in travel distance in any one direction will require a separate permit for each. (up to 140 feet)

All tents/canopies that contain platforms and bleachers up to 11 feet in height will require a separate permit for each.

(This applies to all tents used for commercial use)

PROVIDE PROPER:

1-ILLUMINATED EXIT SIGNS (tents with side panels)

2-EMERGENCY LIGHTING

3-EXIT OPENINGS, MIN. 36 INCHES

4-AISLE WIDTH, MIN. 44 INCHES

5-FIRE RETARDANT CERTIFICATION OF TENT MATERIALS – NFPA 701

6-FIRE RETARDANT CERTIFICATION OF INTERIOR DECORATIONS

7-FIRE EXTINGUISHERS AT ALL EXITS

8-OCCUPANT LOAD AND NUMBER OF EXITS SHALL BE APPROVED BY THE NJ DIVISION OF FIRE SAFETY

N.J.A.C. 5:70-3.1(a) 20, F-2001.3; All tents shall be installed and comply with the N.J. Uniform Construction Code and maintained in accordance with NFPA 102/1995.

N.J.A.C. 5:70-3.1(a) 20, F-2001.7; Tents shall be constructed of fire retardant materials or be properly treated as per NFPA 701/1995. Proper documentation shall be provided by the vendor upon inspection.

N.J.A.C. 5:70-3.1(a) 20, F-2002.1; Combustible materials and excessive trash shall not be located within any tent or air-supported structure (min. 20 feet clearance).

N.J.A.C. 5:70-3.1(a) 20, F-2002.2; Exposed flames: Gasoline, gas, charcoal or other cooking device or any other unapproved open flame shall not be permitted inside or located within 20 feet of the tent or air-supported structure.

NO cooking under tents.

NO deep fryers shall be under tents.

NO cooking with grease laden vapors under tents.

Note: See Bulletin 2006-1 for further information.

N.J.A.C. 5:70-3.1(a) 20, F-2002.6; Fire extinguishers required in/under tents, At least one portable fire extinguisher with a minimum 4-A rating, or two portable fire extinguishers with a minimum 2-A rating each, shall be provided in/under all tents.

N.J.A.C. 5:70-3.1 (a) 3, F-309.2; Excessive grease and residue buildup on kitchen exhaust systems, cleaning required.

N.J.A.C. 5:70-3.1 (a) 5, F-511.1; Dry chemical extinguishing systems shall be maintained and inspected semi-annually as per NFPA 17/1994.

N.J.A.C. 5:70-3.1 (a) 5, F-512.1; Wet chemical extinguishing systems shall be maintained and inspected semi-annually as per NFPA 17A/1994.

NJ UCC TENT PERMIT REQUIRED:

LARGER THAN 16800 SQUARE FEET IN SIZE, GREATER THAN 140 FEET OF TRAVEL DISTANCE IN ANY ONE DIRECTION, BLEACHERS HIGHER THAN 11 FEET, TENTS UP FOR MORE THAN 180 DAYS

Guidelines for determining permit requirements for tents, tensioned membrane structures, canopies, and outdoor combustible mazes.

	UFC Permit Required	UCC Permit Required	No Permit Required
Tent, tensioned membrane structure, or canopy less 900 square feet in area or less and 30 feet or less in any dimension without platforms or bleachers			X
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area and more than 30 feet in any dimension, less than 16,800 square feet in area 140 feet or less in any dimension	Type 1 X		
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area and more than 30 feet in any dimension, less than 16,800 square feet in area 140 feet or less in any dimension that contains platforms or bleachers 11 feet or less in height	Type 1 X		
Tent, tensioned membrane structure, or canopy greater than 16,800 square feet and greater than 140 feet in any dimension		X	
Tent, tensioned membrane structure, or canopy of any size remaining in place for more than 180 days		X	
Tent, tensioned membrane structure, or canopy of any size used or occupied between December 1 and March 31		X	
Tent, tensioned membrane structure, or canopy of any size having a permanent anchoring system		X	
Tent, tensioned membrane structure, or canopy of any size containing platforms or bleachers greater than 11 feet in height		X	
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area and more than 30 feet in any dimension, less than 16,800 square feet in area 140 feet or less in any dimension that installs any electrical equipment, electrical wiring or mechanical equipment	Type 1 X	X	
Outdoor combustible maze less than 6 feet in height and does not contain electrical equipment	Type 1 X		
Outdoor combustible maze 6 feet or greater in height or outdoor combustible maze of any size containing electrical equipment		X	

Canopy: A structure, enclosure, or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

Tent: A structure, enclosure, or shelter constructed of fabric or pliable material supported by any manner, except by air or the contents it protects.

Outdoor Combustible Maze: An attraction that lacks a roof and is designed to disorient patrons, reduce vision, present barriers, or otherwise impede the flow of traffic and does not consist solely of living rooted plants such as corn stalks or trees, but includes mazes created from plants that have been cut and attached to an object to support them.

(A) Mazes consisting solely of living, rooted plants, such as corn stalks or trees, may be repaired using cut replacement plants that are otherwise the same as those of which the maze is created without the need for a permit.

(B) No permit shall be required for mazes up to 42 inches in height created of bales of hay or straw.



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BULLETIN: 2006-01

SUBJECT: Cooking appliances under Canopies and Tents

REFERENCE: UFC Section F-2002.2, N.J.A.C. 5:70-2.7(a)3.v.,
N.J.A.C. 5:70-4.7(g), and IFC 2003, Section 2404

ISSUE DATE: June 21, 2006

The Bureau of Fire Code Enforcement has become increasingly aware of problems associated with cooking under canopies and tents. Pursuant to fire prevention code's Chapter 20, N.J.A.C. 5:70-3.1(a)20, the current code language prohibits cooking under tents or air-supported structures.

"F-2002.2 Exposed flames: Gasoline, gas, charcoal or other cooking device or any other unapproved open flame shall not be permitted inside or located within 20 feet of the tent or air-supported structure".

A conflict has developed with this section when the application of New Jersey State Department of Health regulations by health officials has required outdoor food preparation (cooking) and serving to be conducted underneath a structure to shield the food from airborne contaminants. For temporary activities this has involved the use of membrane structures.

This bulletin includes guidance to provide for the application of the competing regulations in a coordinated and effective manner.

A second issue has been the application of State Fire Safety Code Section N.J.A.C. 5:70-4.7(g) to cooking operations that produce grease laden vapors that occur under membrane structures. The Division of Fire Safety has determined that such actions are not authorized:

The intent of the State Fire Safety Code, (Retrofit Code), is to provide for an acceptable level of life safety in buildings or structures that were not built in compliance with the New Jersey Uniform Construction Code (UCC). Primarily, application of this subchapter is to occupancies constructed prior to the effective date of the UCC with some legislated exceptions such as dormitories for suppression purposes. The scope is intended to deal with occupancies that do not meet fire protection standards enacted on January 1, 1977 or later.

Since all membrane structures are regulated by the current standards of the NJ Uniform Construction Code and/or NJ Uniform Fire Code, the Retrofit Code provisions would not be applicable. Furthermore, if the guidance to restrict such cooking activities to canopies or UCC permitted tents as provided in this bulletin is followed by fire code officials, there will not be a dangerous accumulation of grease laden vapors.

Guidance Document

Cooking appliances under Canopies and Tents

Definitions:

CANOPY. A structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

TENT. A structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

Purpose:

Prohibiting open flames and high-heat appliances fueled by flammable or combustible gases, liquids and solids inside or within 20 feet of a tent or membrane structure is just common sense. Fires cannot start if there is no source of ignition. This guidance document, however, gives the fire code official the ability to approve an open flame or exposed flame appliance considered to be a minimal fire hazard typical of limited cooking facilities using charcoal or LP-gas for fuel and located under a canopy that is open on at least three sides and not attached to another structure.

Approval of cooking activities under canopies may be approved based upon the following:

1. The issuance of a Type 1 Permit pursuant to N.J.A.C 5:70-2.7(a)3.v.
2. The use of membrane structures for cooking activities is restricted to free standing canopies with no sides attached during cooking activities.
Exception: Tents installed pursuant to a permit issued under the New Jersey Uniform Construction Code wherein the cooking activity was included as part of application, review and approval process.
3. A diagram is submitted that includes a floor plan showing the location of the cooking appliances and any fuel sources or supplies.
4. The cooking canopy is located no less than five feet from any other canopy, tent or structure.
5. The canopy fabric is flame resistant and the applicant has provided the Fire Official with a certification attesting the flame resistance as required by Section 2001.8 of the UFC.
6. All cooking equipment to be placed under a canopy is listed for commercial use. (example: a residential barbecue is not listed for commercial use)
7. LP-Gas containers are located at the outer edge of the canopy, a minimum of five feet from the heat-producing appliance. The containers are protected to prevent tampering or damage by vehicles or other hazards. The containers are securely fastened and free of leaks. Safety relief valves are pointed away from the canopy. (Note: Because LP Gas is heavier than air, the fire official should look at the ground in the area surrounding the container to ensure that the ground does not slope down from the container such that gas would collect in a high occupancy (assembly) area in the event of a leak.)
8. Occupancy underneath the canopy is restricted to those persons necessary for food preparation only. Food may be served from the outer edge of the canopy. Suitable barriers should be provided to maintain a distance of not less than five feet between areas accessed by the general public and the cooking equipment.
9. Portable fire extinguisher(s) are provided for each cooking location. The size and type should be determined in accordance with the fire protection requirements of the fire code and its referenced standard, NFPA-10.
10. Storage of combustible items required for food preparation or serving is limited.
11. All other applicable provisions of the NJ Uniform Fire Code are adhered to.