



"Serving with Pride"

23-28.19-1 Tents for which license required – Application and issuance.

(a) No tent exceeding three hundred fifty square feet (350 sq. ft.) in area shall be erected, maintained, operated, or used in any city or town in this state except under a license from the licensing authorities of the city or town. The license shall not be issued for a period exceeding thirty (30) days and shall be revocable for cause. Application shall be made on proper form and, when deemed necessary by the licensing authorities, shall include plans drawn to scale, showing exits, aisles, and seating arrangements and details of the structural support of tent, seats, and platforms, etc. No license shall be issued until the provisions of this chapter have been complied with, and approval has been obtained from the building department, the police department, the fire department, and, when tents are to be used for fifty (50) or more persons, from each and every department having jurisdiction over places of assembly.

(b) For the purposes of this section, the fire marshal shall have no jurisdiction over tents on the property of one-(1) or two-(2) family private dwellings. Nothing contained in this section shall prohibit the fire marshal from requiring a license for a tent smaller than three hundred fifty square feet (350 sq. ft.) where other sections of the fire code deem it necessary, including, but not limited to, use, occupancy, opening, exposure, an increase in occupancy of a commercial establishment, and any other similar factors.

All Tent Installations

The following requirements are applicable to all Tent installations as described above and all seasonal "Igloo" membrane structures:

- All tent fabric shall meet the flame propagation performance criteria contained in Test Method 2 of NFPA 701, Standard Methods of Fire Test for Flame Propagation of Textiles and Films. (101: 11.11.2.1)
- There shall be a 10' clearance clear of flammable and combustible material/vegetation.
- Tents shall be placed no less than 10' from buildings. Tents within 10' of a building may be subject to the requirements for protection as described within the occupancy chapters of NFPA 101.

- Tents not occupied by the public and not used for storage of combustibles shall be permitted to be erected less than 10' from other structures where the AHJ deems such close spacing to be safe from hazard to the public.
- The placement of tents relative to other structures shall be at the discretion of the AHJ, with consideration given to occupancy, use, opening, exposure, and other similar factors.
- Means of egress shall be compatible with the provisions of NFPA 101.
- Remoteness and travel distance to exits must be approved by the AHJ.
- Emergency vehicles can reach within 150' of any point within exterior tent walls.
- No Smoking or Cooking allowed within the tent.
- Open flames/candles are not permitted.
- No guide wire can cross any section of egress at a height less than 7'.
- The tent cannot occupy more than 75% of the premises unless approved by the AHJ.
- There shall be a minimum of 10' between stake lines.
- LPG tanks and heaters are not permitted for tent use.
- LPG tanks and heaters must remain no less than 5' away from all tents.
- Fire extinguishers and exit signage required- quantity and location determined by the AHJ.
- Emergency Lighting required – quantity and location determined by the AHJ.
- No Smoking signage required – quantity and location determined by the AHJ.
- Lighting and electrical installations shall be installed, operated and maintained in accordance with NFPA 70 – Electrical Code.
- Generators and/or combustible engines shall remain no less than 5' from the tent and used in accordance with NFPA 1:25.1.12.1. Refueling shall not take place less than 25' from all tents and only while tent is unoccupied.

Fired Heaters

- Only labeled heating devices shall be used.
- Installation of any LPG container shall be approved by the AHJ prior to installation.
- Containers for liquefied petroleum gases shall be installed not less than 5 ft. (1525 mm) from any tent and shall be in accordance with the provisions of NFPA, Liquefied Petroleum Gas Code.
- Tanks shall remain no less than 5 ft. from all building openings and ignition sources.
- Tanks shall be secured in the upright position and protected from vehicular traffic.
- LPG containers installed within 10 ft. of public vehicular thoroughfares shall be provided with a means of vehicular barrier protection acceptable to the AHJ.
- LPG containers shall be installed upon a firm foundation or otherwise be firmly secured as acceptable by the AHJ.

Electric Heaters

- Only labeled heaters shall be permitted.
- Heaters used inside a tent shall be approved by the AHJ.
- Heaters shall be connected to electricity by electric cable that is suitable for outside use and is of sufficient size to handle the electrical load.