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Commissioner

Town of Brookhaven

Department of Public Safety

Division of Fire Prevention



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Chief Fire Marshal

Requirements of the Erection of Tents and Other Membrane Structures

Revised 3/2019

Tents and other membrane structures having an area in excess (more than) of 400 sq./ ft. shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Division of Fire Prevention.

Exceptions:

- A. Tents used exclusively for recreational camping.
- B. Tents open on all sides that comply with **all** the following:
 - i. Individual tents having a maximum size of 700 sq. / ft.
 - ii. The total area of multiple tents placed side by side without a fire break clearance of twelve (12) feet that does not exceed 700 sq. / ft.
 - iii. **and** a minimum of twelve (12) feet clearance to all structures and other tents.
For the purposes of determining required distances, support ropes and guy wires shall be considered as part of the tent or other membrane structure.

1. Maximum Time Periods:

- A. The maximum time period a tent or other membrane structure may remain erected, without prior approval from the Planning Department, shall not exceed 10 days. Additionally, 30 days is required between the issuance of tent permits for the same property.
- B. The above maximum time periods may be extended, without Planning Department approval when in the opinion of the Chief Fire Marshal an extension is appropriate and the use of such structures are integral to the business / use of the property. Any request for extension of the maximum time periods shall be submitted at the time of the initial permit application to the Division of Fire Prevention.

2. Application & Plan Submission:

The following items shall be submitted a minimum of 10 business days prior to the planned erection of the structure. Missing information will cause the rejection of the permit submission.

- A. Fire Prevention Permit application (FP-10) for the erection of a tent or other membrane structure.
- B. Applicable Fee: Based on square footage (see Fire Prevention fee schedule)
- C. Diagram shall be submitted - If not to scale dimensions shall be indicated. If to scale not less than 1/8 scale. Plans do not require a design professional stamp / seal.
 - i. Location of tent and other membrane structures with respect to the property line and other structures, as well as other facilities nearby that utilizes flammable liquids, gases, explosives or readily combustible materials.
 - ii. Size of the subject tent or other membrane structure.
 - iii. Means of egress (exiting), including dimensions of same.
 - iv. Floor plan showing seating, tables, aisle widths, etc.
 - v. Intended use of the tent or other membrane structure (assembly, sales, etc.)
 - vi. Type of heating and electrical equipment, to be installed, if any.
 - vii. Any stages or platforms located within the foot print or within twenty (20) feet of the tent or other membrane structure.
- D. **" Certificate of Flame Resistance" for the fabric material for the tent or other membrane structure that will be erected in conjunction with the permit application.

**Please note: Certificates stitched to or printed on the fabric of the tent or other membrane structure indicating acceptance by the California State Fire Marshal does not comply with this requirement. Certificates shall indicate flame resistance testing in compliance with National Fire Protection Association (NFPA) Standard 701.*

3. Compliance Inspection

Once the tent or other membrane structure is erected, a Fire Marshal from the Division of Prevention will conduct an inspection prior to the event or use by the public.

- A. *For all tents or other membrane structures exceeding 1,000 square feet, an affidavit prepared by a NYS licensed Architect or Engineer, indicating that the tent, canopy or other membrane structure has been erected in compliance with the International Fire Code (2015), New York State Uniform Code Supplement (current edition) and NFPA 102 shall be submitted at the time of the compliance inspection. Said affidavit shall bear the stamp / seal of the Architect or Engineer. This document shall be submitted to the Fire Marshal at the time of inspection.*

- B. In addition, the requirements accompanying the approved permit (See letter of additional requirement accompanying permit), the following shall be complied with:
- i. Approved previously submitted layout matches current layout.
 - ii. Ground enclosed by the tent or other membrane structure and not less than twenty (20) feet outside the tent or other membrane structure shall be cleared of all combustible materials and vegetation.
 - iii. Fire extinguishers shall be provided in accordance with International Fire Code (2015) and the New York State Uniform Code Supplement (current edition)
 - iv. Electrical installations shall be in accordance with NFPA 70.
 - v. Open flame cooking devices shall be prohibited in tents or other membrane structures utilized for public assembly.
 - vi. Heat producing equipment shall be prohibited, except that approved temporary heaters may be provided in accordance with the International Fire Code (2015) and New York State Uniform Code Supplement (current edition).
 - vii. Exit signage and emergency lighting shall be installed (if utilized after dark)
 - viii. No smoking signs shall be installed conspicuously through the tent or other membrane structure.
 - ix. Any generators shall be a minimum of twenty-five (25) feet from any tent or other membrane structure and be appropriately grounded utilizing grounding rods. Spare fuel associated with the generator shall be stored in an approved container and located in a secure location.

4. Applicable Codes and References Standards:

NFPA 102 Standard for Grandstands, Folding and Telescopic Seating, Tents and Membrane Structures (2016).

International Fire Code (2015): Chapter 31 Tents and Other Membrane Structures.

New York State Uniform Code Supplement (current edition)

Any violation of any section of the Fire Prevention Code of the Town of Brookhaven, the International Fire Code (2015) / Uniform Fire Prevention and Building Code of NYS, constitutes an offense pursuant to Section 16 of the Fire Prevention local law and may be punishable by a fine up to \$10,000 per day, imprisonment not to exceed (6) months, or both.