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Commissioner

Town of Brookhaven

Department of Public Safety

Division of Fire Prevention



Christopher J. Mehrman
Chief Fire Marshal

Portable Heaters (Propane Gas Fueled) Advisory Requirements for the Safe and Lawful Use

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The purpose of this advisory is to provide guidance for the safe and lawful use of propane gas fueled portable heaters in connection with places of assembly such as restaurants, bars and other such businesses. It is important to note the inherent dangers associated with such portable devices, however if utilized in compliance with state and local codes and the manufacturer's instructions, these heaters can be utilized with an increased level of safety. Caution must always be utilized.

The use of gas fueled portable heaters is allowable when in compliance with the Fire Code of New York State Chapter 6, Section 603.4 through 603.4.2.3.4. and the Town of Brookhaven Fire Prevention Code Chapter 30.

I. Portable Heaters shall be:

1. "Listed" and "Approved" for such use by a testing firm such as Underwriters Laboratories (UL), Factory Mutual (FM), etc.
2. Installed and maintained in accordance with the manufacturer's instructions.
3. Equipped with a "TIP OVER" switch that automatically stops the flow of gas if the unit is tilted more than 15 degrees.
4. A manufacturer permanently installed guard must be present to prevent persons from coming in contact with hot surfaces.

II. Propane Gas Tanks:

1. Utilize approved tanks with a maximum of 20 lb. capacity. (typical barbeque grill size).
2. Tanks replacement shall **not** be conducted while the public is present.
3. Indoor storage of the tank is prohibited.

III. Prohibited Locations:

1. Prohibited from use inside any building.
2. Prohibited from being within five (5) feet of any building.
3. Prohibited from being within five (5) feet of any exit or exit discharges (this includes exits from outdoor areas).
4. Prohibited from use on any exterior balconies.
5. Prohibited from use within any tent, canopy or other membrane structure.
6. Prohibited from placement beneath or within five (5) feet of any combustible decorations, and / or combustible overhangs, awnings, sunshades or similar combustible attachments to buildings.

IV. When not in use:

1. When the heater is not in use the valve on the tank shall be closed to prevent accidentally turning on the unit.
2. The tank shall not be stored within a building. If the heater is to be stored within a building when not in use, the tank shall be removed and stored in a safe location outside and away from all buildings.

Any violation of any section of the Fire Prevention Code of the Town of Brookhaven and / or the Fire Code of NYS (2020) 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.

Should you have any questions, please go to our website at www.brookhavenny.gov/304/Fire-Presentation or email the Division of Fire Prevention at fpquestions@brookhavenny.gov.