

Attachment # 12

ARTICLE 5.05 OPEN FLAME EQUIPMENT

**Sec. 5.05.001 Scope**

The provisions of this article shall apply within the city limits (i.e., incorporated municipal boundary). (Ordinance 08-09-16H, sec. II(a), adopted 9/16/08)

**Sec. 5.05.002 Compliance required**

It shall be unlawful for any person to violate the provisions of this article. (Ordinance 08-09-16H, sec. II(b), adopted 9/16/08)

**Sec. 5.05.003 Definitions**

Hot site. A location where hot work is performed and the immediately surrounding area of a minimum of 25 feet in all directions.

Hot work. The use of welding (including arc and acetylene), metal cutting, or other type of open torch work.

Spotter. A person, other than the person performing the hot work, who watches the hot work for the purpose of extinguishing sparks or fires, advising the person performing the work of wind changes or other factors that may create an unsafe condition, and generally ensuring that the work does not cause a fire or other hazardous situation.

(Ordinance 08-09-16H, sec. II(c), adopted 9/16/08)

**Sec. 5.05.004 Regulatory and safety compliance**

(a) The use of welding, cutting and/or open torch equipment within a structure is governed under the International Fire Code, section 2601, which was adopted as the city's code by [article 5.02](#). This type of exterior or outdoor hot work shall not be performed when winds are greater than 15 mph.

(b) A spotter for each welder or hot work location is required.

(c) The hot site shall be cleared of all movable, flammable objects and any other object that may retard or interfere with easy access or response to fire. All flammable vegetation within the hot site shall be removed or wetted down and kept wet so that it will not burn.

(d) Each hot site shall have readily available either: a minimum of 100 gallons of water plus at least one two-gallon fire extinguisher (either pump or pressure type); or, alternatively, a charged hose line (minimum size of 1/2") that is long enough to reach the entirety of the hot site plus an additional 25 feet in all directions from the perimeter of the hot site.

(e) Each job site shall have a phone or cell phone immediately available and accessible to workers in the event of a fire.

(f) The person responsible for this job site shall ensure that any small spot fires are quickly and completely extinguished. No job site shall be abandoned until fires are thoroughly extinguished.

(g) The fire department shall be promptly notified of any fires that extend beyond the 25 foot perimeter, are out-of-control, or that continue to smolder.

(h) The welding or hot work shall be stopped if the fire department so orders, and it shall not resume until the fire department deems that conditions are safe.

(Ordinance 08-09-16H, sec. II(d), adopted 9/16/08)

**Sec. 5.05.005 Enforcement**

The city shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to prosecution for criminal violations. (Ordinance 08-09-16H, sec. III(a), adopted 9/16/08)

**Sec. 5.05.006 Penalty for violation**

The penalty for violation of this article carries a fine not to exceed \$2,000.00. Each violation is a separate offense. (Ordinance 08-09-16H, sec. III(b), adopted 9/16/08)