




COLORADO SPRINGS FIRE DEPARTMENT
Division of the Fire Marshal
Administrative Ruling



Number:	2020-1R		
Subject:	Portable Outdoor Fireplaces		
Reference:	2021 International Fire Code (IFC), Section 307.4.3 and Section 307.4.3 Exception		
Effective Date:	07/07/2020	Issued By:	Kris Cooper, Deputy Fire Marshal
Revision Date:	7/19/2023	Revised By:	Kris Cooper, Deputy Fire Marshal
Approval Date:	07/19/2023	Approved By:	Brett T. Lacey, Fire Marshal 

PURPOSE: The purpose of this ruling is to reduce risks to the health, safety, and property of neighboring occupants of one- and two-family dwellings where portable outdoor fireplaces are in use.

SCOPE: This ruling applies to portable outdoor fireplaces for use at one- and two-family dwellings.

GENERAL DEFINITIONS:

- 1. Dwelling.** Any building that contains one or two dwelling units intended, or designated to be built, used, rented, leased, let or hired out to be occupied, or is occupied for living purposes.
- 2. Dwelling Unit.** A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- 3. Portable Outdoor Fireplace.** A portable, outdoor, **solid-fuel-burning** fireplace that may be constructed of steel, concrete, clay, or other noncombustible materials and may be open in design, or equipped with a small hearth opening and a short chimney or chimney opening in the top.
- 4. Townhouse*.** A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on not less than two sides. (Often referenced as townhome.)

DESCRIPTION OF ISSUES:

1. Nonspecific Exception.

IFC Section 307.4.3 Portable outdoor fireplaces states:

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

Exception: Portable outdoor fireplaces at one- and two-family dwellings.

The exception exempts occupants of one- and two-family dwellings from abiding by the manufacturer's instructions AND the minimum 15 feet requirement.

The *2015 International Fire Code Commentary* explains this exception based on:

- a. The section requires compliance with the manufacturer's instructions;
- b. Occupants of one- and two-family dwellings exercise a level of familiarity and control that is recognized as offsetting the hazards of using portable outdoor fireplaces.

Permission to disregard a manufacturer's instructions may increase community risks.

2. Lack of Consideration for Neighboring Structures, Property, and Occupants.

IFC Section 307.4.3 shows no evidence of consideration for the safety of neighboring occupants, structures, combustible materials, and or the property of one- and two-family dwellings that are in close proximity to a portable outdoor fireplace that is in use.

DECISION:

1. Occupants of one- and two-family dwellings:
 - a. Shall operate portable outdoor fireplaces in accordance with the manufacturer's instructions.
 - b. May operate portable outdoor fireplaces with no minimum distance requirement from a structure or combustible material affiliated with occupants of the one- or two-family dwelling.

- c. Shall NOT operate a portable outdoor fireplace within 15 feet of a neighboring structure or combustible material, including but not limited to a tree, bush, or common fence.

NOTEWORTHY: *A townhouse is a single-family dwelling unit constructed in a group of three or more attached units. A one- or two-family dwelling is one or two units. Therefore, occupants of a townhouse do not qualify for exemptions. Occupants of a townhouse may only operate a portable outdoor fireplace when in accordance with the manufacturer's instructions and with a minimum distance of 15 feet from all structures or combustible materials, including, but not limited to, trees, bushes, and common fencing.

