



Office of the Fire Marshal  
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## DEFINITIONS

**Cooking**- Where food is prepared by a heating or cooking process such as, but not limited to, grilling, frying, barbecuing, flambé, deep fat frying, baking, warming, or boiling. All such operations shall also have a permit from the Santa Clara County Department of Environmental Health.

**Cooking Booth**: Any food service location that prepares food in a fixed location by a heating or cooking process including but not limited to grilling, frying, barbecuing, flambéing, deep fat frying, baking, warming and boiling.

**Vendor Booth**: All booths except cooking booths.

**Food Truck**: A mobile food facility that prepares food by a heating or cooking process including but not limited to grilling, frying, barbecuing, flambéing, deep fat frying, baking, warming and boiling.

**Tent**- A shelter, structure or enclosure made of fabric or similar pliable material with a wood or metallic frame. This term applies even when there are no sides; therefore a fabric canopy is considered a tent. All tents shall be certified flame retardant. Tents that are to be occupied by more than **10 persons or are 700 sq. ft./20X30 or greater** shall have a separate Fire Code/Tent Permit from the Fire Marshal.

**Canopy**: A structure, enclosure or shelter, without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

## GENERAL

1. Vehicles necessary to the operation shall be parked *at least* 20' from any booth.
2. No other vehicles shall be parked within 100' of any booth
  - a. except vehicles parked on a public street.

3. Emergency vehicle access will be maintained, with minimum 20' lanes provided throughout the event.
4. Emergency vehicle access points will be protected. Parking on public streets will be patrolled.
5. All tents, canopies, and inflatables, will be staked or anchored securely.
6. Fabric-covered booths or other membrane structures with sidewalls that are in excess of 400 square feet, or that are without sidewalls, and are in excess of 700 square feet must comply with the additional requirements set forth in the California Fire Code for Temporary Tents and Membrane Structures.
7. When booths are set up along access roadways an unobstructed width of not less than 20 feet shall be maintained.
8. The maximum travel distance to a fire extinguisher with a minimum rating of 2A:10BC shall not exceed 75 feet.
9. All Fire extinguishers shall be clearly visible and accessible at all times.
10. Fire extinguishers shall be properly maintained with current service tags.
11. No open flames or smoking will be permitted inside or within 10' of any booth.
12. Approved NO SMOKING signs shall be conspicuously posted.
13. Each vendor booth/tent shall have at least one exit-way, a minimum of three (3) feet wide by 6'8" high. Booth frames shall not obstruct exit paths. Seating canopies shall have 2 exits 48" wide.
14. Seating Tents shall have a main aisle 48" wide to each exit; rows of chairs have two (2) feet separation, no use of hay bales under canopies, all decorations fire retardant treated, provide lighting and exit signage if used after dark.

### **COOKING BOOTH CONSTRUCTION AND LOCATION**

15. Frying is defined as any cooking operation or process whereby the product floats or is submerged in hot oil during the cooking process.
16. Frying equipment shall be equipped with a temperature regulating device or other approved method of regulating temperature.
17. All fabrics or membranes covering cooking booths must be certified flame retardant or treated with a fire retardant paint or spray.
18. Decorative materials must be inherently fire resistive, or must be treated with a fire- retardant paint or spray.
19. Each cooking booth shall have at least one exit, 3 feet wide by 6'8" high (booth frame shall not obstruct exit path).
20. Cooking booths shall have a minimum clearance of 10 feet on at least two sides.

21. Cooking Booths shall have a clearance of at least 10 feet from any vendor booth.
22. Food trucks shall be spaced at least 10' apart and 10' from any other booth.
23. Flooring materials used in cooking booths shall be nonabsorbent and as approved by the Santa Clara County of Environmental Health.
24. Cooking areas shall not be accessible to the public.
25. All cooking areas shall be cleaned regularly to prevent the build-up of grease.
26. All compressed gas cylinders shall be secured in an upright position.

**Cooking Equipment:**

27. All interior cooking equipment shall be of an approved type and open flame cooking shall be a minimum of 18 inches from booth back/side drop materials.
28. Camping type stoves may be used only with approved fuel under the following conditions:
  - Do not add liquid fuel to stoves in booth.
  - Maximum of two gallons of fuel capacity for each appliance is allowed with no additional fuel storage inside of booth.
  - Do not use kerosene or gasoline.

**LIQUEFIED PETROLEUM GAS (LPG)**

29. The use of Propane as a source of fuel for heating is regulated by the National Fire Codes (NFPA58) and the California Fire Code (Chapters 24 and 38).
30. LP-gas equipment such as containers, tanks, piping, hoses, fitting, valves, tubing and other related components shall be approved and in accordance with the California Fire Code and California Mechanical Code.
31. LP-gas containers shall be located outside. All safety release valves shall be facing away from the tent, canopy, or membrane structure. Containers shall not be located in approved fire lanes.
32. Portable LP-gas containers with a capacity of more than 5 gallons shall have a minimum separation of 10 feet from combustible construction, tents, canopies, and membrane structures.
33. Portable LP-gas containers, piping, valves and fittings which are located outside and are used to fuel equipment inside a tent, canopy, or membrane structure shall be protected to prevent tampering, damage by vehicles or other hazards and shall be located in an approved location. LP-gas containers shall be secured in an upright position and separated by a minimum distance of 5 feet.

34. Rubber hoses or flexible metal hoses connecting the LP-gas cylinders with appliances must be approved for propane. The letters "LPG" and the symbol "U/L" on the hose are sufficient evidence of acceptability. Rubber hoses shall be fitted with factory made metal fittings.
35. Shut-off valves shall be provided at each fuel source. Tanks not in use shall be secured with all valves capped.
36. Storage of extra butane or propane tanks within tents, canopies, or membrane structures is not permitted.
37. Butane or Propane equipment shall conform to the following:
  - Cooking appliances must have an on-off valve and be located far enough away to safely shut off in case of fire.
  - Hoses must be approved for use with the equipment and fuel type.
  - Tanks must be protected from damage and be secured in an upright position. Storage of extra butane or propane tanks will not be allowed in the booth.
  - Tanks not in use must be turned OFF.
  - Maximum quantity for use inside booths is 10 gallons.
  - Propane BBQ's shall be located outside, a minimum of 10 feet away from all booths and in areas where public access is prohibited.
  - The booth operator shall test all connections for leaks with soap and water solution prior to use.
  - Unused fuel cylinders shall be stored in a secured position. Maximum outside storage is 10 gallons.

Note: Specialized-cooking equipment, used outside of the booth, may have larger tanks when approved by the authority having jurisdiction.

### **VENDOR BOOTH AND CONSTRUCTION**

38. Each vendor booth shall have at least one exit way, a minimum of 3 feet wide by 6'8" high (booth frame shall not obstruct exit path).
39. Vendor booths shall have a minimum clearance of 20 feet on at least one side with clearance of at least 10 feet from any cooking booth.
40. A 10-foot wide separation shall be provided for every 200 lineal feet of vendor booths in a single row or every 100 lineal feet of vendor booths in a double row (refer to diagram).
41. Candles or open flame are prohibited without prior approval of the authority having jurisdiction.

### **ELECTRICAL POWER**

42. Generators shall be placed in approved locations and separated from combustibles by at least 10'.
43. Each generator shall be provided with a fire extinguisher with a minimum 40B:C rating. The extinguisher shall be located near the generator and be accessible at all times.
44. Refueling of generators is prohibited during event hours. No extra fuel shall be stored during event hours.
45. During approved refueling times, no smoking or open flames will be allowed within 25 feet of the refueling operation.
46. Extension cords shall be of a grounded type, approved for exterior use and be in good condition (no cuts or exposed wires, no electrical tape).

#### **OPEN FLAME COOKING/BBQ**

47. Use only an electric starter or commercially sold lighter fluid.
48. Charcoal/wood burning cooking and storage of lighter fluid is prohibited inside booths.
49. Flambe/Open Flame Cooking/BBQ Cooking shall be located a minimum of 10 feet away from booths and in areas where public access is prohibited.  
Exception: Fully enclosed BBQs may be less than 10 feet with prior approval of the authority having jurisdiction.
50. Flambe/Open Flame Cooking/BBQ Cooking shall not be under a canopy or overhand of any type.
51. Flambe/Open Flame Cooking/BBQ Cooking shall be 10 feet away from combustible structures and parked vehicles.
52. Coals shall be disposed in metal containers approved by the authority having jurisdiction.

#### **Deep Fat Frying/ Wok:**

53. Deep fat frying, Wok cooking operations shall be located outside the booth and no closer than 18 inches from any combustible material.
54. The cook area shall be located in an area where public access is prohibited.
55. Deep fat frying/Wok cooking equipment must be equipped with a temperature regulating device.
56. Separation shall be maintained with a minimum of 3 feet clearance between deep fat frying and flambe or open flame cooking.
57. Booths with deep fat frying, wok, or flambe cooking shall be equipped with an extinguisher rated for class "K" fires.

## **Fire Extinguishers:**

58. Each cooking booth shall be equipped with a fire extinguisher with a minimum rating of 2A:10B:C. Booths with deep fat frying or flambe cooking shall be equipped with a class “K” rated fire extinguisher.

## **FOOD TRUCKS**

59. Food Trucks participating in a permitted Special Event (Festival, Carnival, Street Fair, Farmers Market, etc.) shall have a current valid SCCDEH permit, and be compliant with the following regulations:
- California Fire Code 2013 Edition (CFC)
  - California Code of Regulations, Title 19 (CCR)
  - California Mechanical Code 2013 Edition (CMC)
  - California Health and Safety Code (H&S)
60. Automatic fire extinguishing systems shall be serviced at least every 6 months and after activation of the system.
61. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type I Hood (a kitchen hood for collecting and removing grease and smoke), in accordance with this code, and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:
- Wet chemical extinguishing system, (NFPA 17A, Standard for Wet Chemical Extinguishing Systems), complying with UL 300, Fire Testing of Fire Extinguishing Systems for the Protection of Restaurant Cooking Equipment.
62. Fire extinguishers with a Class K rating shall be provided for hazards where there is a potential for fires involving combustible cooking media (vegetable or animal oils and fats).
63. Under no circumstances shall gasoline be stored in Food Trucks. Portable gasoline generators (outboard, mounted, or free-standing) are not permitted for use during Outdoor Special Events.
64. All electrical power shall be in locations free from potential water intrusion and not located near gutters or storm drains.
65. Food trucks shall be parked in a manner to provide at least 10’ of clearance on all sides.

## **MISCELLANEOUS**

66. All compressed gas cylinders shall be secured in an upright position.
67. All cooking areas shall be cleaned regularly to prevent the build-up of grease.

68. A three (3) feet minimum width is required inside all work areas inside of a booth or tent.
69. Any chemical product use, storage or sale shall be reviewed and approved by the Fire Marshal.

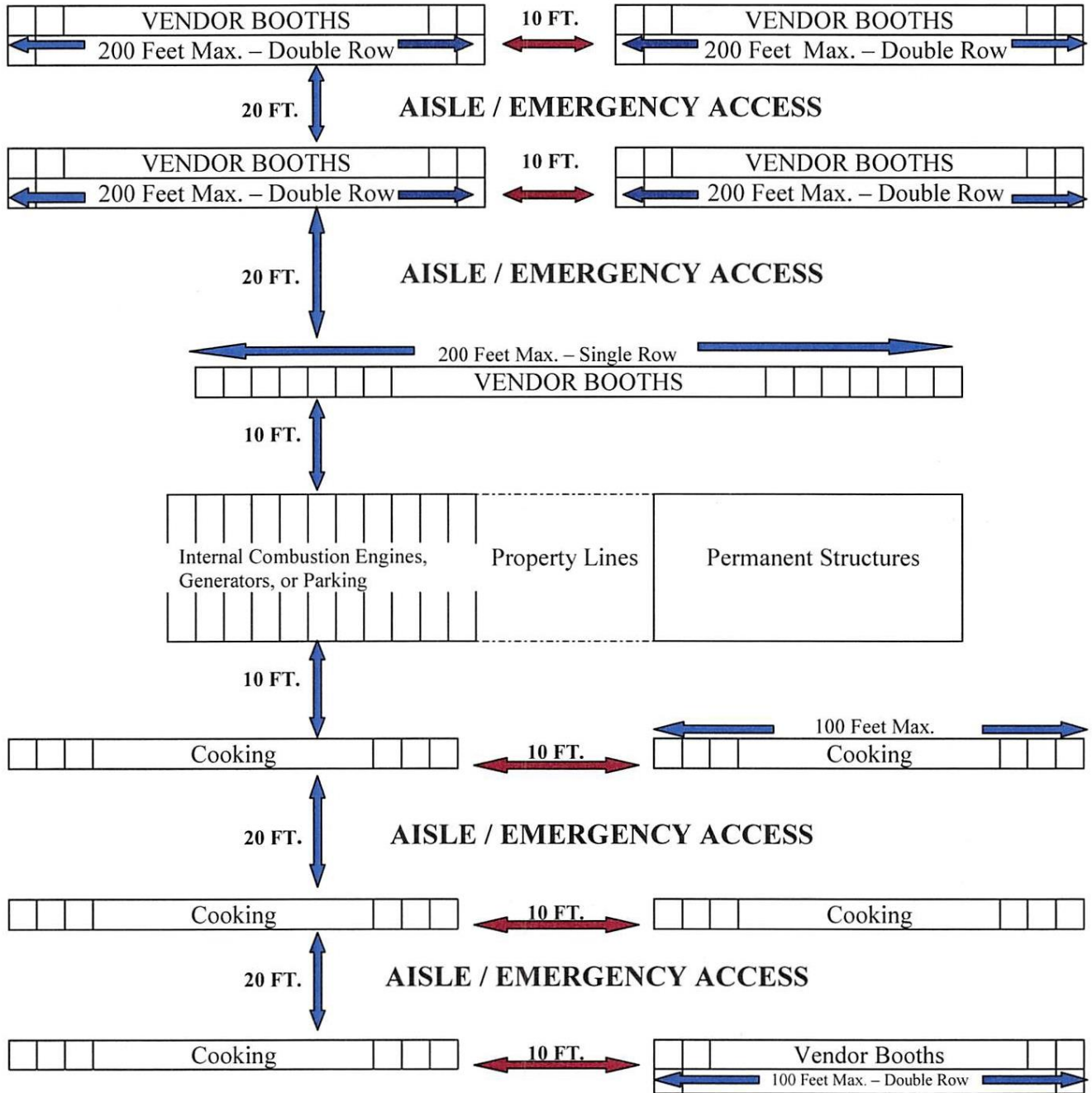
#### **FIRE SAFETY TIPS**

70. Know where fire extinguishers are and how to use them.
71. Do not leave cooking unattended.
72. Do not wear loose-fitting clothing while cooking.
73. Remove trash accumulation regularly.
74. DO NOT spray lighter fluid on charcoal that has been previously ignited.
75. Keep combustible materials away from heat sources.

Should you require further information, please call 408-310-4654. I may also be reached by email at [Dwight.Good@fire.ca.gov](mailto:Dwight.Good@fire.ca.gov) You may leave a voice mail message at anytime, and your call will be returned as soon as possible. The City of Morgan Hill Municipal Codes can also be reviewed at the City of Morgan Hill Web Site on the internet at [www.morgan-hill.ca.gov](http://www.morgan-hill.ca.gov).

Sincerely,

Dwight Good  
Fire Marshal



*Note: Cooking Booths are limited to single rows only. Back-to-back rows are not permitted. Maximum length of row is 100 feet.*