

Requirements for Temporary Tent, Canopy, Air Supported or Tension Membrane Structure

Town of Riverhead 64

New York State 2401.2

In an effort to insure that all Tent Sales, Outdoor Retail & Similar Events are operated in a safe, lawful manner, without creating undue delays and hardships, I take this opportunity to inform you of the current requirements relative to carnivals and related activities for which your organization has submitted an application with the Clerk, Town of Riverhead.

The enclosed Riverhead Procedure, NYS Fire Prevention Code, Chapter 24 Tents and Other Membrane Structures and NFPA 102 (Temporary Membrane Structures/Tents) is currently in effect. You will note that tents, (guidelines also enclosed) require that all tents exceeding 500 square feet in area must have a Special Town permit or be listed on your "shows & exhibitions" permit application, requiring an acceptable diagram with the necessary details as listed. Very importantly, if the tent is more than 1,500 square feet, it must be inspected at the installation site after being erected by a NYS licensed Architect or Engineer, who must submit an affidavit attending to it's ability to withstand certain wind loads. (NFPA 102 Chapter 8.3) All the tents at any one event may be listed on one application. Please bear in mind that his requirement does not apply to any tents that are used solely for storage of equipment, animals or materials.

NFPA 102 clearly requires that all electrical enclosures and equipment must be listed by a nationally recognized testing agency for outdoor use. Therefore, please be aware that the electrical distribution systems used at carnivals, circuses and similar temporary outdoor amusements shall be compromised of listed weather tight enclosures and connectors and/or a field-assembled arrangement of listed weather tight enclosures and/or connectors, all components of which shall be approved for outdoor use.

It is our sincere hope that this advance notice will allow you to be in compliance with the Fire Prevention Local Law of the Town of Riverhead while still bringing quality, responsible entertainment to our residents. Please feel free to contact Fire Marshal Bruce E. Johnson if you have any questions or desire further information.

An inspection will be conducted by the Fire Marshal prior to the opening to the public and periodic inspections may be conducted during the period of operation to ensure public safety and compliance with the Code.

Rev. April 2006

***Procedure for Inspection of Tents,
(Commercial and Not-for-Profit) & Special Events***

The following Standard Operating Procedure shall be utilized.

This procedure applies to the erection of tents exceeding 200 square feet or canopies exceeding 400 square feet for temporary commercial use (eg: sale of furniture, rugs, etc..) as well as all other, charitable, religious, fraternal, not-for-profit use.

1. An application for a special permit (Chapter 64) to erect a temporary structure shall be submitted to the Fire Marshal for approval. The intended use of the tent must be specified. This applies to ALL tents EXCEPT those erected in conjunction with an outdoor amusement application Chapter 90 to the Town Clerk, such as a carnival or circus. Said use of any tent(s) shall be noted as part of the Carnival Permit Application.
2. The event sponsor (applicant) shall submit a diagram with the application, showing;
 - A. Location of tent with respect to other structures, roads, as well as other facilities nearby that utilized flammable liquids, gases, explosives or readily combustible materials.
 - B. A mark out of underground utilities shall be performed if tents are to be staked with stakes longer than 12". Sponsor must call 1-800-272-4480 at least 5 days in advance to get mark out from all utilities with underground equipment.**
 - C. Size of the tent.
3. A certificate of Flammability (or equivalent) for the tent material shall accompany the submission. ***The submitted Certificate of Flammability for the tent fabric shall be reviewed to ensure compliance with NFPA 701.***
4. Upon receipt of the above, the Fire Marshal or Commercial Inspector shall review the plans for compliance with NFPA 102. This will include the following;
 - A. Occupant load.
 - B. Isle width.
 - C. Exit width.
 - D. Number of exits.
 - E. Arrangement of exits.
 - F. Marking of exits.
 - G. Travel distance.
 - H. Exit and emergency lighting if tent is to be utilized after darkness.
 - I. If necessary due to size, use or other conditions, the need and method of fire alarm and emergency communications.

The permit may be issued, when appropriate, with the following requirements:

The area under the tent and area ten (10) feet outside tent shall be cleared of all flammable vegetation and combustible materials.

Fire Extinguishers shall be provided in accordance with NFPA 10 – All fire extinguishers must have current inspection tag affixed (within past 12 months) and be in proper working condition. A minimum of one 4A60BC fire extinguisher is required for each cooking operation and each gasoline powered electric generator. In addition, fire extinguishers must be located throughout the event area so as travel distance to the nearest fire extinguisher is not more than 75 feet.

C. Grounding and Bonding. Equipment Bonding.

The following equipment connected to the same source shall be bonded:

1. Metal frames and metal parts of rides, concessions, tents, trailers, trucks, or other equipment that contain or support electrical equipment.

D. Portable Wiring Inside Tents and Concessions. Electrical wiring for lighting, where installed inside of tents and concessions, shall be securely installed and, where subject to physical damage, shall be provided with mechanical protection. All lamps for general illumination shall be protected from accidental breakage by a suitable fixture or lampholder with a guard.

E. Electrical installations shall be in accordance with NFPA 70. UL: *rated for outdoor use with no use of “surge protectors” as junction boxes.*

F. No smoking shall be permitted. Suitable signs shall be displayed by the applicant.

G. Cooking shall be prohibited under tents for public assembly. Cooking may be under a canopy (or tent) as required by SC Health Department regulations provided the fabric has a certificate of flammability in compliance in compliance with NFPA 701.

H. Heat producing equipment shall be prohibited, except that approved temporary heaters may be provided in accordance with the appropriate NFPA Standards.

5. After tent is erected, the Town Fire Marshal must perform a compliance inspection.
6. For all tents exceeding 1,500 square feet, an affidavit shall be submitted by a NYS licensed Architect or Engineering, indicating that the tent has been erected in compliance with Section 8-3 of NFPA 102, at the time of the compliance inspection.
7. Any event with an anticipated public attendance of 5,000 or more people shall require a Suffolk County Department of Health permit for outdoor gathering, (NYS Code, Part 18)
8. Any event with a viewing stage or tent of 1,500-sq. ft. requires a permit from NYS DOL.

50 foot minimum setback from Public Roadways for Tents.

As you are aware, there has been some concern regarding the enforcement of the captioned requirement at Carnivals. The intent of the regulation is to adequately safeguard carnival attendees from nearby traffic. Clearly, if the carnival is located close to public roadways, the possibility of children (and perhaps some adults) inadvertently wandering into busy traffic, with tragic results, is high and the Town should rightfully protect the public from same. However, the fifty foot setback can sometimes create insurmountable difficulties, depending upon the location of the Carnival grounds.

The Fire Marshal inspecting the event is empowered to accept a lesser setback, so long as the intent of the requirement is complied with. Typically, the provision of fencing (eg. chain link, snow fence, etc., but not barrier tape, rope or similar flimsy arrangements) and substantial physical barriers (ie. Guard rails, parked vehicles or storage trailers, etc.) which will prevent the unintentional movement of attendees onto the roadway, as well as limiting the accidental travel of motor vehicles onto the carnival grounds, will meet the intent of the Code and are therefore acceptable.

Obviously, the type of roadways to the event, as well as the strength of the barriers (permanent or temporary), will play a determining role in the minimum acceptable setback distance (ie. five feet with snow fence might be acceptable along a dead end, residential road, while ten feet with a split rail fence will most likely not be acceptable along Route 25A / Route 58, etc.).

Any questions regarding this issue shall be directed to the Town Fire Marshal.

Sample Inspection Checklist

Inspection of each tent:

- A. Town Permit Issued (attach copy)
 - B. Tent exceeding 1,000 sq. ft. must have licensed architect engineer certification as to compliance with NFPA 102 Section 8-3 (attached copy)
 - C. Tent properly located (separation from hazards):
 - Other Structures: _____Y _____N
 - Rapidly Combustible Materials: _____Y _____N
 - Flammable Liquids/Gases: _____Y _____N
 - D. Flammability certificate of each tent
Issued: _____ Dated: _____
 - E. Exits & Occupancy of each tent;
 - Post maximum occupancy: _____Y _____N
 - Proper Isle Width: _____Y _____N
 - Proper Exit Width: _____Y _____N
 - Sufficient Number of Exits: _____Y _____N
 - Proper Arrangement of Exits: _____Y _____N
 - Exits Clearly Marked: _____Y _____N
 - Proper Maximum Travel Distance: _____Y _____N
 - Exit & Emergency Lighting for
Operation after Sunset: _____Y _____N
 - F. Proper number & size of fire extinguishers provided: _____Y _____N
 - G. "NO SMOKING" signs posted: _____Y _____N
 - H. No cooking or cooking equipment present: _____Y _____N
 - I. No heating equipment present: _____Y _____N
1. SET BACK FROM ROADWAYS:
- A. Minimum of 50 feet from public roadways: _____Y _____N
(If not-entered details in comments below)
 - B. A lesser setback in accordance with attached _____Y
Details lesser setback: _____
2. ELECTRIC EQUIPMENT:
- A. All electrical equipment must be rated for outdoor use _____Y _____N
 - B. Each generator must be grounded, utilizing at least two grounding rod driven to a depth of at least 8 feet _____Y _____N

Cooking Facilities

Requirements for all cooking vendors:

1. Each cooking “joint” or area must have at least one fire extinguisher. If a **deep fat fryer** is used, one K-Class Fire Extinguisher is required in addition to a Dry Chemical Fire Extinguisher rated at least 4A60BC.
2. Propane Tanks:
 1. Tanks must be equipped with an OPD (overfill protection device) and be in proper working condition.
 2. Regulators and hoses must be in working condition, free from physical damage or leaks.
 3. All propane tanks shall be protected from physical damage and protected from tip over (placed in plastic crate or tied to a substantial stationary object).
3. Containers for cooking oils must be clearly labeled as such.
4. All electric installations shall be in accordance with NFPA 70, UL rated for outdoor use. **(The use of “surge protectors” as junction boxes is expressly prohibited.)**
5. Generator Use:
 1. Generators must be placed in a location that does not create a public hazard. Provisions for proper ventilation of exhaust fans is the responsibility of the vendor.
 2. Generators shall be properly grounded.
 3. It is prohibited to re-fuel generators when running or when engine is hot.
 4. Each generator shall be provided with a portable fire extinguisher, rated at least 4A60BC. This is in addition to the Fire Extinguisher for cooking equipment.
6. Cooking Shall Be Prohibited Under Tents For Public Assembly. Cooking may be under a canopy (or tent) as required by Suffolk County Health Department regulations, provided the fabric has a Certificate of Flammability in accordance with NFPA 701.
7. Use of “sterno” type heating devices must be protected from wind by use of foil wrap on serving rack or equivalent protection approved by fire marshal.



TOWN OF RIVERHEAD
Fire Protection and Code Enforcement Division
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(631) 727-3200 Fax (631) 727-3370



Bruce E. Johnson Fire Marshal Ext. 209	David J. Andruszkiewicz Fire Marshal Ext. 208	Richard W. Downs Code Enforcement Officer Ext. 277	Matthew C. White Code Enforcement Officer Ext. 230
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Certificate of Insurance – Guidelines:

The certificates should show evidence of Comprehensive General Liability limits of not less than \$1,000,000, Worker’s Compensation with statutory limits and Auto Liability limits of \$1,000,000 (If use of vehicles is applicable).

The carriers providing coverage must be approved by the Town (this is better than saying “admitted in NYS or have a A.M. Best rating of at least A-7”).

Certificates should indicate the Town of Riverhead, Et. Al. is added as additional insured with regard to a tent sale or special event, including date event is scheduled.

For any questions, contact Town Attorney at (631) 727-3200 ext. 215.