



## Marion Fire Department

Capt. Michael C. Makowski

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Ohio Festivals and Events Association

Board of Directors

Dear OFEA Directors:

As the fire inspector for the City of Marion I work closely with the Marion County Fair and the Marion Popcorn Festival.

I had a recent conversation with some members of the Popcorn Festival Board regarding changes in the 2017 Edition of the Ohio Fire Code (OFC) that directly affects Ohio's festivals and events, specifically mobile food units. They asked that I send this letter to raise the awareness of these changes.

The 2017 OFC became effective December 15, 2017. Section 320, titled Mobile food units, was added to OFC Chapter 3, [1301:7-7-03 \(T\)](#) of the Ohio Administrative Code. As stated in 320.1 Scope, it applies to all mobile food units within Ohio. OFC Chapter 2 defines mobile food units as:

"Any apparatus or equipment that is used to cook, prepare or serve food, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand propelled carts."

### **To be clear, this is in effect and enforceable now!**

I have attached a copy of OFC 320 for your convenience. I would like to highlight the paragraphs that I believe will have the most impact:

**320.2.3** – Requires at least 1 carbon monoxide detector on all mobile food units, except for open air and hand carts.

**320.3** – Requires at least 1 easily accessible 5-pound ABC fire extinguisher within the mobile food unit.

**320.3.1** – Requires a Class K fire extinguisher in mobile food units that cook with solid fuels or vegetable or animal oils and fats. This is in addition to the required 5-pound ABC fire extinguisher as stated in 320.3. Also, mobile food units with kitchen exhaust hood fire suppression units are still required to carry a Class K fire extinguisher.



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**320.5 to 320.5.2** – Requires no smoking within 10 feet of mobile food units using any fuel source other than the vehicles own fuel tank (gasoline, diesel, etc.). It also states the required posting of no smoking signs.

**320.6** – This entire section covers the storage, use and handling of LP-gas in mobile food units.

**320.6.3** – Requires all piping used in mobile food units to be in compliance with **320.6.3 (i) through (xiii) by December 31, 2018**. Mobile food units not in compliance on January 1, 2019 will not be permitted/allowed for use until made compliant.

**320.6.4 to 320.6.4.1.1** – States the installation and signage requirements for a quarter-turn manual gas ball valve for an emergency gas shut-off.

**320.7** – Requires a minimum separation distance of 10 feet from mobile food units (using or containing a fuel source or generator other than the vehicle fuel tank) and building/structure exits, combustible materials, vehicles and other cooking operations. This does not include the awning or other appurtenances.

A link to the OFC can be found on the State Fire Marshal's website:

<http://www.com.ohio.gov/fire/>

Feel free to contact the State Fire Marshal Code Enforcement Bureau or me for any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Capt. Michael C. Makowski", written over a horizontal line.

Capt. Michael C. Makowski

Atts:

OAC 1301:7-7-3 (T) / OFC Section 320

**1301:7-7-03 General requirements.**

(T) Section 320 Mobile food units

(1) 320.1 Scope. This paragraph applies to all mobile food units operated within this state.

(2) 320.2 General. In addition to other applicable provisions of this code, all mobile food units being operated in this state shall comply with the provisions of this paragraph and with all applicable provisions of this code for the type of cooking performed.

(a) 320.2.1 Obstructions of fire lanes and equipment. Mobile food unit shall not block fire lanes, fire hydrants, or other fire protection devices and equipment.

(b) 320.2.2 Operation of fuel source during transit. LP-gas fueled equipment shall not be operated during transit unless the equipment meets both of the following:

(i) The equipment is designed to be in operation while the vehicle is in transit, such as cargo heaters or coolers; and

(ii) There is a means installed to stop the flow of gas in the event of a line break, such as an excess flow valve.

(c) 320.2.3 Carbon monoxide detection. All mobile food units shall be equipped with at least one listed carbon monoxide detection device.

Exception: Carbon monoxide detectors shall not be required in open air hand propelled carts.

(3) 320.3 Portable fire extinguishers. All mobile food units shall have a minimum of one 5-pound ABC portable fire extinguisher located within the unit and readily accessible by the operator of the unit.

(a) 320.3.1 Class K portable fire extinguishers. In addition to the portable fire extinguisher required in paragraph (T)(3)(320.3) of this rule, all mobile food units that contain cooking equipment involving solid fuels or vegetable or animal oils and fats shall also be protected by at least one Class K rated portable fire extinguisher in accordance with paragraphs (D)(11)(e)(904.11.5) to (D)(11)(e)(ii)(904.11.5.2) of rule [1301:7-7-09](#) of the Administrative Code.

(b) 320.3.2 Installation and maintenance. All portable fire extinguishers located within or at a mobile food unit shall be installed, serviced, tested, inspected and maintained in accordance with paragraph (F)(906) of rule [1301:7-7-09](#) of the Administrative Code.

(4) 320.4 Egress. All mobile food units that operate commercial cooking equipment shall have two accessible means of egress remotely located from each other.

(a) 320.4.1. No means of egress required by this paragraph shall be smaller than 5.7 square feet.

(5) 320.5 Smoking. Smoking shall be prohibited inside of and within 10 feet of any mobile food unit that has any fuel source other than the vehicle fuel tank.

(a) 320.5.1. "No Smoking" signs shall be conspicuously posted inside each mobile food unit, outside each mobile food unit in the vicinity of any location where compressed gas is stored or kept, and in a location that is visible to the public.

(b) 320.5.2. "No Smoking" signs shall be in English, shall have a dark background, and shall have lettering in a contrasting color that is at least 4 inches tall and with a minimum brush stroke width of 1 inch.

(6) 320.6 LP-Gas. The storage, use and handling of LP-Gas in a mobile food unit shall comply with this rule and, except as otherwise provided herein, shall also comply with rules [1301:7-7-30](#), [1301:7-7-34](#), [1301:7-7-35](#) and [1301:7-7-38](#) of the Administrative Code.

(a) 320.6.1 Containers. Only ASME mobile LP-Gas containers in compliance with the following shall be used:

(i) A maximum allowable working pressure (MAWP) of 312 psi (2.2 MPag) or higher for LP-Gas containers installed in the enclosed spaces of a vehicle.

(ii) A maximum allowable working pressure (MAWP) of 250 psi (2.2 MPag) or higher for LP-Gas containers installed on the exterior of a vehicle.

(iii) Propane tanks must be kept in a secure manner at all times.

(iv) The maximum aggregate capacity of containers used in a mobile food unit to contain LP-Gas shall not exceed 200 gallons (0.8 m<sup>3</sup>) aggregate water capacity.

(b) 320.6.2 Location and installation. Supply systems for mobile food units shall comply with the following:

(i) LP-Gas supply systems used for a mobile food unit, including the containers, shall be installed either on the outside of the vehicle or in a recess or cabinet that is vapor tight to the inside of the vehicle but accessible from and vented to the outside, with the vents located near the top and bottom of the enclosure and 1 m (3 ft) horizontally away from any opening into the vehicle and below the level of the vents.

(ii) LP-Gas container shall be mounted securely on the vehicle or within the enclosing recess or cabinet, shall be kept in a secure manner at all times, and shall comply with the following:

(a) Cylinders shall be located to minimize exposure to excessive temperature rises, physical damage, or tampering.

(b) Vehicle mounted propane tanks shall be mounted with minimum 36" clearance from the bottom of the tank to the ground when secured to the vehicle.

(c) LP-Gas containers shall not be installed on the roof of the vehicle.

(d) Where LP-Gas containers are mounted within the vehicle housing, the housing shall be secure to the vehicle and any removable portions of the housing shall be secured to the housing while in transit.

(e) All LP-Gas container valves, appurtenances, and connections shall be protected to prevent damage from accidental contact with stationary objects, loose objects, stones, mud, or ice thrown, up from the ground or floor, and damage due to overturn or similar vehicular accident.

(f) LP-Gas cylinders shall have permanent protection for cylinder valves and connections.

(g) Where LP-Gas cylinders are located on the outside of a vehicle, weather protection shall be provided.

(c) 320.6.3 Piping. On or before, but no later than, December 31, 2018, all piping used in a mobile food unit shall comply with the following:

(i) Piping shall be installed in accordance with section 6.9.3 of NFPA 58 as listed in rule [1301:7-7-80](#) of the Administrative Code.

(ii) Steel tubing shall have a minimum wall thickness of 1.2 mm (0.049 in.).

(iii) A flexible connector shall be installed between the regulator outlet and the fixed piping system to protect against expansion, contraction, jarring, and vibration strains.

(iv) Flexibility shall be provided in the piping between a cylinder and the gas piping system or regulator.

(v) Flexible connectors shall be installed in accordance with section 6.9.6 of NFPA 58 as listed in rule [1301:7-7-80](#) of the Administrative Code.

(vi) Flexible connectors longer than the length allowed in the code, or fuel lines that incorporate hose, shall be used only where approved.

(vii) The fixed piping system shall be designed, installed, supported, and secured to minimize the possibility of damage due to vibration, strains, or wear and to preclude any loosening while in transit.

(viii) Piping shall be installed in a protected location.

(a) Where piping is installed outside the vehicle, piping shall be under the vehicle and below any insulation or false bottom.

(b) Fastening or other protection shall be installed to prevent damage due to vibration or abrasion.

(c) At each point where piping passes through sheet metal or a structural member, a rubber grommet or equivalent protection shall be installed to prevent chafing.

(ix) Gas piping shall be installed to enter the vehicle through the floor directly beneath or adjacent to the appliance served.

(x) If a branch line is installed, the tee connection shall be located in the main gas line under the floor and outside the vehicle.

(xi) Exposed part of the fixed piping system shall be of corrosion-resistant material or shall be coated or protected to minimize exterior corrosion.

(xii) Hydrostatic relief valves shall be installed in isolated sections of liquid piping in accordance with section 6.13 of NFPA 58 as listed in rule [1301:7-7-80](#) of the Administrative Code.

(xiii) Piping systems, including hose, shall be pressure tested and proven free of leaks in accordance with section 6.14 of NFPA 58 as listed in rule [1301:7-7-80](#) of the Administrative Code.

(d) 320.6.4 Emergency shut off controls. Mobile food units using LP-Gas shall be provided with readily distinguishable and accessible marked exterior emergency shut off controls with a quarter-turn manual gas ball valve.

(i) 320.6.4.1 Signage. Signs shall be permanently mounted at the location of the emergency shut off controls and shall state:

"EMERGENCY GAS SHUT-OFF VALVE"

(a) 320.6.4.1.1. Signs shall be clearly visible and shall remain unobscured at all times. Signs shall be weather resistant, of contrasting colors, and shall be readable from a minimum distance of 25 feet.

(7) 320.7 Distance and separation requirements. While parked and in operation mobile food units, exclusive of awnings and appurtenances, using or containing a fuel source or generator other than the vehicle fuel tank shall be separated from the entrances and other exits of buildings or structures, combustible materials, vehicles and other cooking operations by a clear space distance of 10 feet (3 m). Exception: When approved by the local authority having jurisdiction, mobile food service operations using LP-Gas may be located at a distance of less than 10 feet from other mobile food units except that at no time shall a mobile food unit be closer than 7 feet from other mobile food units.

(8) 320.8 Generators.

(a) 320.8.1. Generators servicing a mobile food unit shall not be fueled while the mobile food unit is in operation.

(b) 320.8.2. Generators shall not be fueled while the generator is in use and shall not be fueled until the generator has been turned off and the surface temperature of the engine and fuel tank is below the autoignition temperature of the fuel.

(c) 320.8.3. No generator shall be operated or used or fueled within the occupant space of a mobile food unit.

(9) 320.9 Wiring. Electrical wiring in a mobile food unit shall comply with this paragraph.

(a) 320.9.1. All electrical equipment shall be installed in accordance with NFPA 70 as listed in rule [1301:7-7-80](#) of the Administrative Code.

(b) 320.9.2. All electrical wiring shall be contained in exposed conduit in all mobile food units built, manufactured or altered on or after the effective date of this rule.

Replaces: This rule was previously located (and will remain) at 1301:7-7-03.

Effective: 12/15/2017

Five Year Review (FYR) Dates: 12/15/2022

Promulgated Under: 119.03

Statutory Authority: 3737.83, 3737.82, 3737.22, 3737.65

Rule Amplifies: 3737.83, 3737.82, 3737.65, 3737.22

Prior Effective Dates: 07/01/1979, 06/01/1985, 06/15/1992, 07/01/1993, 11/27/1993, 09/01/1995, 01/09/1998, 01/03/2000, 09/01/2005, 07/01/2007, 11/01/2011