



Department of Community Affairs



Division of Fire Safety

Bureau of Fire Code Enforcement

To: LEA Fire Officials
From: Lou Kilmer, Chief Bureau of Fire Code Enforcement
Date: December 16, 2020
Subject: Tents and Air Supported Structures

On November 25, 2020, the Department of Community Affairs Division of Codes and Standards issued a document titled "Guidance for the Utilization of Outdoor Space During the Winter Months". The document provides guidance for businesses utilizing outdoor spaces that rely on tents, tensioned membrane structures, and canopies (collectively referred to as "tents") during the winter months. A copy of that guidance is attached to this memo.

Under N.J.A.C. 5:23-2.14(b)4, a Uniform Construction Code ("UCC") permit from the local construction office is required to maintain tents in use past November 30th due to winter weather conditions. It is imperative that this be done in order to maintain the safety and integrity of the tents due to the weight of snow and ice among other concerns. The guidance document provides examples for variations that can be considered along with a two-week extension period for removal of the tent past the November 30th due date provided certain conditions are met.

As I am sure most of you are aware of, the National Weather Service is calling for a significant winter weather event to occur in the State this Wednesday and Thursday. It is imperative for the safety of those individuals utilizing tents that UCC approvals have been given for the tents to remain in operation. It is possible due to the early arrival of winter weather and staffing constraints that not all tents have been permitted by UCC yet or ordered to be removed if not compliant.

In order to ensure public safety during this winter weather event, I am requesting all local enforcing agencies to immediately canvas their jurisdiction for tents that are still erected. When tents are found to still be in place, I request that you ascertain from the business owner if they have received UCC approval. If they have not received UCC approval, a violation should be issued under the Uniform Fire Code citation N.J.A.C. 5:70-3, 3103.2.

It is also of the utmost importance that you speak with the business owner and explain to them the hazards involved with occupying tents with a heavy snow load on them. Various options exist such as heating the tents to increase melting and snow removal if it can be safely done. Occupancy of the tent with a snow load on it should not be permitted without a valid UCC approval. If you have any questions or need additional guidance please feel free to contact me at 609.633.6131 or by e-mail at louis.kilmer@dca.nj.gov. Thank you for your continued assistance.