

December 2, 2009

Dear Chief;

As the holiday season approaches, there are sure to be questions regarding natural cut Christmas trees in occupancies deemed assemblies. This letter contains important information concerning this issue. We are sending this letter because you are a deputy of the Department of Commerce in accordance with section 101.14(2)(a), Wisconsin Statutes.

The Wisconsin Fire Prevention Code, Chapter Comm 14, Wisconsin Administrative Code, incorporates by reference the 2006 edition of the Uniform Fire Code, NFPA 1, developed by the National Fire Protection Association. Natural cut Christmas trees are addressed by NFPA 1, section 10.14, entitled Combustible Vegetation.

NFPA 1, section 10.14.2, contains express language that allows you, as the Authority Having Jurisdiction, to permit Christmas trees where you determine that adequate safeguards are provided based on the quantity and nature of the combustible vegetation. We trust your judgment relative to permitting natural cut Christmas trees within your jurisdiction. NFPA 1, sections 10.14.3 through 10.14.9.4 contain requirements that address natural cut Christmas trees where permitted..

We have included an example of guidelines, including best practices, that one city has developed for their use.

We hope this information is of help to you and if you have further questions please contact Joe Hertel in the Safety and Buildings Division at 608.266.5649.

Sincerely,



Richard J. Leinenkugel
Secretary

Enc: Christmas tree guidelines example

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CITY OF MERRILL

Fire Department

Bob Odegard, Fire Chief

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First Presbyterian Church ,

The Merrill Fire Department was briefed a short time ago, by a State of Wisconsin Fire Marshall, in regard to the uniform fire code NFPA 1, 2006. It is with the safety in mind for all who gather at your assembly that vital fire safety information must be shared with you.

The code states; in chapter 10, *General Fire Safety*, specifically 10.14.1 *Combustible vegetation, including natural cut Christmas trees, shall be in accordance with table 10.14.1*, the table states that for an occupancy deemed *assembly, no trees are permitted*.

The code goes onto state in chapter 10.14.2, that; *in any occupancy, limited quantities of combustible vegetation shall be permitted where the AHJ (authority having jurisdiction), determines that adequate safeguards are provided based on the quantity and nature of the combustible vegetation*.

What does **this all mean**, essentially NFPA (National Fire Protection Association), has found problems in regard to natural vegetation (wreaths, roping, etc) and specifically fresh cut trees used as decorations, in regard to fires and the safety of individuals within the assembly.

In regard to the *AHJ* (authority having jurisdiction), that is the Merrill Fire Department, specifically Chief Odegard, as your assembly is within Merrill's fire coverage area. Our number one goal is the safety and well being of all individuals within our protection area. However, we realize the importance of these types of decorations for religious, tradition and historical importance. Thus it is the goal of the Merrill Fire Department to work with each assembly to work in a direction that follows the code in regard to safety, yet allows for these traditions to continue with the well-being of all a priority.

We feel that it is necessary for a leader or a small group within your organization to meet with a representative from our department, to discuss the specifics on this situation in hopes that we could find a solution that would be in the best interest for all those involved.

Please contact Assistant Fire Chief Steve Hintze at Fire Station #1, 715-536-2233 at your earliest convenience, Monday through Friday between 8am and 2pm.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Odegard".

Robert Odegard, chief
Merrill Fire Department

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**Mérrill Fire Department
Guidelines in response to combustible vegetation**

Trees and or combustible vegetation will be allowed within an assembly with the following conditions applied;

- vegetation and trees shall not obstruct corridors, exit ways or other means of egress
- only listed electrical lights and wiring shall be used on decorations and /or trees
- lights may only be energized while assembly is occupied
- open flames such as from candles, lanterns, etc. shall **not** be used on or near the vegetation
- natural vegetation and /or trees shall not be located near fixed or portable heating devices

Provisions for Natural Cut Trees

- where a natural cut tree is utilized, the bottom of the trunk shall be cut off with a straight fresh cut at least ½ inch above the end prior to placing the tree in a stand to allow the tree to absorb water
- the tree shall be placed in a suitable stand with water
- the water level shall be maintained above the fresh cut and checked at least once daily
- the tree shall be removed from the building upon evidence of dryness