

Mr. P. W. Wilkinson, Executive Secretary, Board of Fire Commissioners (cont'd)

The strict interpretation of the above quoted section does not indicate that a Salamander of this character would qualify as "equipment for industrial purposes". The industrial purpose intended by this section would be equipment that is in nature essential to the production of an article. The fact that such equipment may be dangerous from the standpoint of a fire hazard, nevertheless, because of its need and purpose, becomes the risk assumed as a necessary evil by the industry.

The provision in the paragraph quoted above referring to the Building Code does not alter the aforementioned interpretation of "equipment for industrial purposes". It must of necessity refer to Chapter 48, Section 4480, Paragraphs 4800, 4801 and 4809 entitled "General Requirements for Industrial Buildings", of the Building Code of Baltimore City, 1941. The building in question here is not intended for industrial occupancy but is intended for a residential purpose. It definitely is not excepted from the operation of Paragraph 307B mentioned hereinbefore.

The Salamander, trade-mark Danco Oil Salamander, in this instance, is to be used for the purpose of heating and drying material in a building under construction. In accordance with Chief Trenner's testimony, the same result can be achieved by use of wood or coal burning stoves. The use of the Oil Salamander is not vital to the construction of the building or the purpose to be effected.

This Department is of the opinion that it can clearly and definitely be argued that the Danco Oil Salamanders are a fire hazard, as stated by Chief Trenner, and do not fall under the exemption of Paragraph 307B but are restricted by Paragraph 307C of the Fire Code of the City of Baltimore.

Very truly yours,

/s/ THOMAS N. BIDDISON  
City Solicitor

/s/ JOHN A. DEWICKI  
Assistant City Solicitor

JAD/LH