



# CODE COMPLIANCE GUIDELINE OPEN-FLAME COOKING DEVICES

CHARCOAL BURNERS & OUTDOOR BARBEQUE GRILLS

## *APARTMENTS and CONDOS ONLY*

**Notification of Tenants:** The management of multi-family residential occupancies which have balconies, decks, or patios shall notify their tenants in writing of the prohibitions outlined in Section 308.1.4 of the Fire Prevention Code (see below) when the tenant or occupant initially occupies the building and periodically thereafter as may be necessary to ensure compliance.

Charcoal burners and other open-flame cooking devices shall not be operated or stored on combustible balconies or within 10 feet of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. Where approved by the fire code official, charcoal burners are allowed to be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction where all of the following conditions are met:
  - 3.1. The charcoal burners are attended by an adult at all times when in operation.
  - 3.2. Portable fire extinguishers in the type, quantity and size as approved by the fire code official are present on the combustible balconies or at the cooking site located within 10 feet (3048 mm) of combustible construction. Such portable fire extinguishers shall be in an operable condition at all times and maintained in accordance with NFPA 10 as listed in rule 1301:7-7-47 of the Administrative Code.
  - 3.3. All non-structural combustible material must be removed from the combustible balconies or at the cooking site located within 10 feet (3048 mm) of combustible construction.
4. LP-gas cooking devices having an LP-gas container with a water capacity not greater than 2 1/2 pound nominal 1 pound LP-gas capacity.

**8. Natural gas fired open-flame cooking devices.** Where approved in writing by the fire code official, the installation and use of natural gas fired open flame cooking devices and/or appliances shall be permissible on combustible balconies of multi- (greater than two) family dwelling unit structures or within 10 feet of combustible construction at multi-family dwelling unit structures, with the following conditions:

(a) The fire code official, in that official's discretion, may require that any person responsible for the use of a natural gas fire open flame cooking device or other appliance at a multi-family dwelling unit structure, to maintain comprehensive general liability insurance in an amount sufficient to cover any damages to persons or property that could be attributed to any fire caused by the use of an open flame cooking device.

(b) The fuel supply for the natural gas fueled open flame cooking device or appliance be from the natural gas fuel supply piping system connected to the building where the cooking is to occur. There shall be no storage tanks or cylinders located in or near the dwelling unit structure where the cooking is to occur.

(c) The gas pressure supplied to the natural gas fueled cooking appliance shall be no more than the pressure recommended by the cooking device/appliance manufacturer. In no case shall the maximum pressure supplied to the device or appliance exceed 2 pounds per square inch (psi).

(d) Portable fire extinguishers in the type, quantity and size as approved by the fire code official are present on the combustible balconies or at the cooking site located within 10 feet of combustible construction. Such portable fire extinguishers shall be in an operable condition at all times and maintained in accordance with NFPA 10 as listed in rule 1301:7-7-47 of the Administrative Code.

(e) While the natural gas fired open flame cooking device or appliance is in use, all combustibles that are not part of the dwelling unit structure shall be kept 5 feet away from the cooking device.

(f) Any and all building code requirements for the installation and use of natural gas fired grills, open flame cooking devices or appliances shall be complied with, including compliance with any permit and inspection requirements

## **DISPOSAL OF ASHES**

**Safe Disposal.** After the fire is completely extinguished, dispose of leftover ashes in a safe and lawful manner. Ashes removed from the cooking device must be thoroughly dampened and cooled, then deposited in a covered metal can or other suitable noncombustible container used solely for ash storage. Ashes must be stored in accordance with the law.

**It's the Law!** In accordance with Section 305.2 of the Fire Prevention Code, hot ashes, cinders, smoldering coals shall not be deposited in a combustible receptacle, within 10 feet of other combustible material including combustible walls and partitions or within 2 feet of openings to buildings. The minimum required separation distance to other combustible materials shall be 2 feet where the material is deposited in a covered, noncombustible receptacle placed on a noncombustible floor, ground surface or stand.

**Don't Be Careless.** Do not discard leftover ashes into a plastic bag, paper bag, cardboard box or anything that is combustible. Ashes that are two or three days old may appear to be cool and safe, but can still retain enough heat to cause an unwanted fire. Also, be careful in handling partially burned wood; the wood may still be smoldering and could cause a burn injury.

**SAFETY TIPS:**

- Place grills a safe distance from lawn games, play areas, and foot traffic, and declare a three foot "safe zone" around the grill to keep children and pets away.
- When managing food on the grill, use long-handled grilling tools to give the chef plenty of clearance from heat and flames.
- Periodically remove grease or fat buildup in trays below the cooking device so it cannot be accidentally ignited by a hot grill. This should be done when the cooking device is cool.
- For charcoal grills, purchase the proper starter fluid and store the container out of reach of children and away from heat sources and never add charcoal starter fluid when the cooking fire has already been ignited. Never use any flammable/combustible liquid other than a suitable charcoal starter fluid to get the fire going.
- Though rare, charcoal has been known to cause fires without a direct ignition source and can self-ignite in some conditions. These self-igniting instances typically occur when briquettes get wet and then dry, changing the molecular make-up of the charcoal material. Preventative measures include storing charcoal in a dry, safe, temperature controlled storage area.
- For gas grills, check the gas cylinder hose for leaks before using the grill for the first time each year. A light soap and water solution applied to the hose will quickly reveal escaping propane by releasing bubbles. If you determine your grill has a gas leak, by smell or the soapy-bubble test, and there is no fire/flame:
  - Turn off the gas tank and grill.
  - If the leak stops, get the grill serviced by a professional before using it again.
  - If the leak does not stop, call 911 immediately.
  - If you smell gas while cooking, immediately get away from the grill and call 911. Do not attempt to move the grill.
- All gas (LPG) cylinders manufactured after April 2002 must have overfill protection devices (OPD). These devices shut off the flow of gas before capacity is reached, limiting the potential for release of propane gas if the cylinder heats up. They are easily identified by their triangular-shaped hand wheel. Never store propane gas cylinders in buildings or garages. If you store a gas grill inside during the winter, disconnect the cylinder and leave it outside.
- Always follow the manufacturer's instructions, limitations, and/or safety guidelines for setting up, operating, and maintaining the cooking device.

**QUESTIONS & ANSWERS****Q: Why have fire safety regulations for open-flame cooking devices?**

**A:** To reduce risk of unwanted fires resulting in property damage, occupant displacement, and personal injury or death from the operation and/or storage of open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids in areas in proximity to balconies and decks, combustible construction, and residential occupancies. Potential fire risks associated with misuse of these devices include grill fires resulting from propane gas (LPG) leaks, petroleum or grease-based flash fires, accidental ignition of adjacent combustible material, vegetation, and building features such as balconies, decks, and vinyl siding, as well as inadequate fire extinguishment and improper disposal of leftover ashes resulting from the use of charcoal burners and other solid-fuel burning cooking devices.

**Q: What is a townhouse?**

**A:** The Fire Prevention Code defines "townhouse" as a single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. This might include structures referred to as row houses or quads. However, stacked, over-under, and piggyback style dwellings or similar multi-level residential occupancies having horizontal (i.e., floor-ceiling) dwelling unit separation between lower and upper level units are not considered townhouses because individual units do not extend from foundation to roof; therefore are not exempt from the prohibitions related to the operation and storage of open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids.

**Q: Can I use an open-flame cooking device at my apartment building or condominium?**

**A:** Only in accordance with the law. Residents of apartment buildings, multi-unit condominiums, and other residential occupancies who want to operate open-flame cooking devices must take certain precautions and understand the regulations relating to the operation and storage of these devices at residential occupancies. With exception of cooking devices using electricity as a heating source and listed by a recognized testing authority (e.g., Underwriters Laboratories), the operation and storage of charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids on balconies and decks, or within 10 feet of residential occupancies other than detached one- and two-family dwellings and townhouses is against the law unless the balcony has automatic fire suppression.

**Q: Should I operate an open-flame cooker on/under the balcony or deck of my house?**

**A:** No, unless the balcony has automatic fire suppression. Although one- and two-family dwellings and townhouses are exempted from the Fire Prevention Code prohibitions related to the operation of charcoal burners and other open flame cooking devices fueled by combustible or flammable gases, liquids, and solids, the operation of these types of cooking devices on/under combustible balconies and decks attached to townhouses, duplexes, and single-family dwellings is strongly discouraged. Furthermore, manufacturers generally specify that open-flame cooking devices not be operated in such locations. When these cooking devices are operated on combustible balconies and decks attached to townhouses, duplexes, and single-family dwellings, non-combustible protective insulating materials such as patio blocks/pavers or a hearth pad should be used to help protect the surface of the balcony or deck from radiant heat and stray embers provided the manufacturer does not specifically prohibit the use of their particular brand of open-flame cooking device on combustible balconies and decks.

**Q: How far from my house or deck should I operate an open-flame cooking device?**

**A:** Greater than 10 feet. A minimum distance of 10 feet from all detached one- and two-family dwellings and townhouses, as well as other combustibles such as sheds, fences, decks, and woods, is strongly encouraged. This 10 foot distance originates from the Fire Prevention Code, and is the minimum separation from combustible construction and residential occupancies required for charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids. This recommendation is made in an effort to limit exposure to the house, deck, and other combustibles and reduce the chance of unwanted fire spread should an accident occur during cooking device operation.