

Loveland Fire Rescue Authority

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Multi-Family Use of Open Flame Cooking Devices

Loveland Fire Rescue Authority (LFRA) currently recognizes and enforces the 2021 International Fire Code which was adopted in July 2023.

Chapter 3 – General Requirements is making sure the three elements necessary for a fire to occur – ignition source, fuel and oxygen do not encounter one another. The requirements and precautions outlined in this chapter, when applied using good judgment and common sense, will help to foster safety for everyone residing within the building.

Chapter 3 – General Requirements, Section 308 – Open Flames establishes the requirements being applicable to both indoor and outdoor situations involving open flames. The intention is to maintain separation between ignitable combustible materials and ignition sources that involve an open flame.

Chapter 3 – General Requirements, Section 308 – Open Flames, Paragraph 308.1.4 – Open Flame Cooking Devices states that charcoal grills and other open flame cooking devices are not allowed on combustible balconies or within 10 feet of combustible construction.

(Combustible balconies and combustible construction means balconies and siding made from wood or wood products).

Exceptions:

1. One and two-family dwellings.
2. Where buildings, balconies and decks are protected by an automatic fire sprinkler system.
3. LP-gas cooking devices having LP-gas container water capacity not greater than 2.5 pounds [nominal 1-pound LP-gas capacity]



Propane grills that utilize **2.5-pound propane bottle** can be used on combustible balconies or within 10 feet of combustible construction. (A 2.5-pound propane bottle is the smaller, typically green 16 oz. containers and there are several brands of grills that feature this type of bottle). To utilize a larger propane bottle other than the 2.5-pounder, the balcony must be non-combustible (concrete or steel) and the grill must be 10 feet away from any combustible.

Explanation of Section 308.1.4

This section contains a strict prohibition on the use of charcoal-burning grills and other open flame cooking devices in the locations described and focuses on the potential for hot embers to fall from the fire box of the cooking device and ignite a combustible surface, such as a wooden balcony or deck. The 10-foot separation also reduces the likelihood that fire-starting cooking flare-ups will encounter combustible wall construction that is easily ignited.

Since this section only regulates the operation of the cooking devices, it is often asked if the devices can be stored in the locations described. In the case of propane fired grills using larger than those described in Exception 3, the answer is no. The fire code is regulating the amount or quantity of volatile fuel on the combustible balcony or deck. In the case of locating non-propane gas-fired cooking devices, the location would have to be approved by the fire code official.

Exception 1, exempts one and two-family dwellings from the requirements of this section and would allow the use of propane gas grills of any size on balconies of such buildings. In those occupancies, the level of familiarity and control exercised by the building occupants is recognized as offsetting the hazards of using open-flame cooking devices. There are practical difficulties involved enforcing such regulations in one and two-family dwellings as well.

Exception 2, recognizes the added protection provided by an automatic fire sprinkler system.

Exception 3, allows for small propane gas burning devices such as the small tabletop grills or units that might be used in cooking within residential occupancies.

FAQ's

1. I live in a townhome, does this code apply to me?

ANSWER: No, townhomes are considered attached single family dwellings. However, your HOA may have a stricter rule or covenant prohibiting them. It should be noted that Loveland Fire Rescue does not recommend gas or charcoal grills on townhome balconies that are built with combustible materials or within 10-feet of combustible construction because of the opportunity for fire to spread easily from one unit to another.

2. I live in a single family home. Can I have a barbecue grill or gas grill?

ANSWER: Yes. The code does not apply to one and two family dwellings.

3. Why do I see larger BBQ grills on other balconies within the LFRA jurisdiction?

ANSWER: The answer to this question could consist of several explanations:

- The balcony could be protected with an automatic fire sprinkler system.

- The balcony could be constructed of non-combustible materials such as concrete or steel and placed away from combustible construction or the construction itself is considered non-combustible.
- The grill is utilizing a smaller 2.5-pound propane bottle. There are conversion kits to use the small bottles on larger grills.
- You may be looking at a townhome or single-family dwelling where they are allowed.
- Storage of the grill itself without the propane bottles is allowed.
- The grill is being utilized illegally. LFRA has a limited staff and cannot patrol every multi-family complex within the city. If you believe there is a grill being used improperly, please call LFRA and we will investigate the situation.

4. Can I have a grill that utilizes natural gas on my apartment patio?

ANSWER: No, grills that are fueled by natural gas are still considered "open flame" cooking devices. They are not allowed on combustible balconies or within 10-feet of combustible construction.

5. What is considered combustible construction?

ANSWER: Examples of combustible construction are as follows but not limited to what is listed below. It should be noted that the required 10-foot separation from combustible construction applies to each side as well as what is above the grill.

- Balconies made of wood or wood composite materials are considered combustible construction.
- Wood composite material that has a flame rating which is attached to wood joists is considered combustible construction.
- Siding that is made of wood or wood composite materials are considered combustible construction.
- Cementitious siding, such as stucco, is not considered combustible however, other siding (non-cementitious) that mimics stucco (like products such as EFIS) would be considered combustible construction.

6. Can I store my grill on the deck or balcony without the propane bottle? Can I store my charcoal grill on my deck when not in use?

ANSWER: Yes, the code limits the size of the propane bottle, not the grill itself. Likewise, the limitation for the charcoal grill applies to the use of the appliance, not where it is located when not being used. However, precaution must be taken if you use a charcoal grill before placing it in storage. Please allow the grill to cool completely.

7. My HOA says I can't have a grill on my balcony even though it meets the requirements of the fire code. Can they do that?

ANSWER: Absolutely. Your HOA covenants or apartment rules can prohibit gas grills regardless if they comply with the fire code. The fire code is the minimum level of safety adopted by LFRA. These requirements can always be exceeded by other regulations. LFRA cannot supersede these stricter regulations, nor can a HOA's/apartment complex rule supersede the fire code and allow grills on combustible balconies. The HOA should inform the residents if it has chosen to enforce a stricter standard.

8. Can I have a smoker on the deck or balcony?

ANSWER: Any type of smoker that requires an open flame to ignite or maintain temperatures is not allowed. Automatic electric pellet smokers that are enclosed are allowed. It is important to note that due to the disbursement of smoke from these type of appliances at startup, it may cause public concern and 911 activation is likely.

9. Why are grills prohibited? Isn't barbecuing part of summer?

ANSWER: Cooking fires account for roughly half of the fires nationwide in multi-family buildings (apartments and condominiums) and of those, over one quarter were caused by barbecue grills on patios or balconies. The improper or careless use of any open-flame cooking device in multi-family buildings can have disastrous consequences to multiple families. When fires occur as a result of improper or careless grilling, they typically happen when the grills are left unattended while cooking or when embers from a fire fall down and ignite combustible surfaces sometimes hours after the cooking is done. Unattended fires spread rapidly, placing property and lives in peril.