

Grills Prohibited by Law



Notice to All Homeowners:

It is the duty of the Sandusky Fire Department Fire Prevention Bureau to inform all multi-unit residents that the use of grills on decks and/or the storage of LP tanks on decks or in garages of buildings with three or more units is prohibited. Anyone using a grill within 10 feet of a building with three or more units is in violation of the Ohio Fire Code sections referenced below.

The Fire Prevention Bureau is thoroughly aware of how this will inconvenience many residents; however, the property owners have no choice if it is to follow state law and maintain proper insurance coverage. The following information is provided in order that you may better understand this position.

On September 1, 2005, a new Ohio Fire Code took effect. While new to Ohio, this particular Code has been around in its form since 2003. In 2005, Ohio adopted the 2003 International Fire Code (IFC). Some 42 states plus Washington, D.C. use the IFC in some form, with at least 14 states having adopted the version with Ohio. The Sandusky City Ordinance 1501.01 automatically adopts the current Ohio Fire Code.

The relevant sections of the Fire Code are found in Chapter 1301:7-7, specifically Chapter 1301:7-7-03 (H)(3)(a) and (a)(i). These are commonly referred to as 308.3.1 and 308.3.1.1, and read as follows:

308.3.1 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) 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 (3048mm) 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 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 1301:7-7-45 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 of combustible construction.

308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices. LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds [nominal 1 pound (0.454 kg) LP-gas capacity] shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exception: One- and two-family dwellings.

The Fire Code is law in Ohio. Violations can result in fines imposed by the Sandusky Fire Department Fire Prevention Bureau. As noted, there are only two exceptions. First, the law does not apply to single family or two-family structures. Condo units, for example, that are in one or two-unit, free-standing buildings would not be subject to the law. Second, the law exempts buildings where there is an automatic sprinkler system in place for decks and balconies, in addition to the interior of the building.

Additionally, the Code precludes the storage of LP-gas tanks on decks or balconies as well. Storage of LP tanks in garages of non-exempted units is also prohibited.

The Fire Code was adopted by the Ohio Fire Marshal pursuant to authority granted to Fire Marshals by the Ohio Legislature to adopt and enforce the Fire Code. The current Ohio State Fire Marshal is Larry L. Flowers. Mr. Flowers can be reached at the following address:

Division of State Fire Marshal
8895 East Main Street
Reynoldsburg, OH 43068
(614) 752-8200
websfm@com.state.oh.us

With regard to the question of what to do with grills at this point, we would like to stress that the law does not prohibit the storage of grills. However, the Code does prohibit the storage of LP-gas tanks. Therefore, in the event that a grill is to be stored prior to being removed, the LP tank or tanks must be removed from the grill and taken out immediately. As indicated previously, storage of the LP-gas tanks within a unit is not only a fire hazard, but is also grounds for the issuance of a citation by the local fire marshal.

While one and two unit structures are exempted under the law, we would ask owners of these units to consider that this law was enacted to protect life and property and the Sandusky Fire Department asks owners of these units, in the spirit of community and in an effort to protect your property and insurability, to voluntarily comply with the restriction. We appreciate your cooperation and understanding in this matter.

Sincerely,

Rudy Ruiz, Fire Marshal
Bureau of Fire Prevention & Risk Reduction
Sandusky Fire Department