

# STANDARDS FOR ~~BARBEQUES-OPEN FLAME COOKING~~ DEVICES ON BALCONIES, PATIOS, AND DECKS OF MULTIPLE UNIT RESIDENCES

For Use By All Jurisdictions, ~~Cities and County~~, Within ~~the Limits of~~ Santa Clara County.  
Authority Cited: California Fire Code (CFC)

These requirements apply to the use and storage of ~~barbeques-open flame cooking devices~~ on balconies, patios, and decks of residential structures having more than two dwelling units (i.e., apartments, condominiums, and townhouses other than townhouses located on individual parcels ~~separated by recorded property lines~~).

## A. Fire Code Requirements

~~Charcoal burners and other o~~Open-flame cooking devices such a charcoal or liquefied petroleum gas (LPG) burners shall not be operated on combustible balconies or within ten (10) feet (3,048 mm) of combustible construction. [Exceptions: 1) Single- and two-family dwellings; ~~and~~ 2) Where buildings, balconies, and decks are protected by an automatic sprinkler system; ~~and/or~~ 3) LPG cooking devices having an LPG container with a water capacity not greater than two and one half (2.5) pounds [i.e., nominal 1 pound (0.454 kilogram) LPG capacity].] [CFC ~~§308.3.1~~§308.1.4]

~~Liquefied Petroleum Gas (LPG) burners having an LPG container with a water capacity greater than two and one half (2.5) pounds (i.e., nominal 1 pound LPG capacity) shall not be located on combustible balconies or within ten (10) feet of combustible construction. [Exception: Single and two family dwellings.] [CFC §308.3.1.1]~~

## B. Summary of Code Requirements

**Open-Flame Cooking Devices:** It is not acceptable to operate a charcoal barbeque unit on a combustible (e.g., wood) balcony or within 10 feet of combustible construction, including the surrounding walls and overhang. It is acceptable to operate such a barbeque on a balcony if the balcony, deck, overhang, and adjacent walls are of non-combustible construction, or if the balcony is protected overhead by an automatic fire sprinkler system. It is okay to store a charcoal barbeque unit on a combustible balcony.

**LPG Fueled Cooking Devices:** It is not acceptable to store or operate an LPG barbecue with a ~~Propane-LPG~~ fuel container size greater than 1 pound LPG capacity on a combustible balcony or within 10 feet of combustible construction, including the surrounding walls and overhang. It is acceptable to store or operate such a barbeque on a balcony if the balcony, deck, overhang, and adjacent walls are of non-combustible construction, or if the balcony, deck, or overhang is protected by an automatic fire sprinkler system. ~~decks and overhangs are protected by an automatic fire sprinkler system.~~ [Note: NFPA 58 prohibits the transport of LPG containers with a water capacity greater than 2.5 pounds (nominal 1 pound (0.454 kilogram) LPG capacity) through common building areas (i.e., enclosed interior stairways, elevators, exit stairways), so most barbecues of this type will be limited to ground floor use with direct access to the area of use.]<sup>1</sup> ~~There is no exception for automatic fire sprinklers.~~

## C. Frequently Asked Questions

### When Did These New Requirements Become Effective?

<sup>1</sup> Exception: This prohibition does not apply to exit stairways serving only one dwelling unit and where the fuel may be transported directly to the balcony without entering the unit.

January 1, 2008. [Adoption of the current California Fire Code was effective January 1, 2014.](#)

**Which Jurisdictions Have Adopted the Fire Code Regulations for Barbeques?**

All jurisdictions in Santa Clara County have adopted the Fire Code regulations for barbeques. ~~If you are located in another jurisdiction, check with your local Fire Department.~~

**Can Electric Barbeques be Used on Combustible Balconies and Decks Without Restriction?**

Yes.

~~**With What Size of Propane Tanks Are Barbeques Normally Equipped?**~~

~~Most barbeques are designed to operate using standard 20 pound (5 gallon) cylinders.~~

### **Are Natural Gas Fueled Barbeques Subject to the Same Regulations as LPG Fueled Units?**

~~Yes. Natural gas fueled barbecues are prohibited according to CFC §308.1.4 No. But they are still subject to the regulations of CFC Section (§) 308.3.1 for open flame cooking devices (see Section A, above). However, for balconies, decks, overhangs, and adjacent walls of non-combustible construction, or if the balcony, deck, or overhang is protected by an automatic fire sprinkler system. fire-sprinklered buildings they are not subject to the same restrictions since the fuel source does not need to be carried. Note that a permit is required to plumb and connect natural gas to a barbeque.~~

### ~~Can I Convert My LPG Barbeque to Use Natural Gas?~~

~~Yes, if done in accordance with the barbeque device manufacturer's specifications. You must obtain a permit from your local Building Department prior to adding or making any changes to existing natural gas piping systems.~~

### **What Types of Materials are Considered Combustible Construction, and What Types are Considered Non-Combustible Construction?**

Wood or vinyl siding, wood decking, and fabric awnings are examples of combustible construction. For the purpose of these regulations, stucco covered walls/ceilings, concrete or tiled floors, and wood railings facing the exterior (not between units) are considered to be non-combustible construction. Note that certain composite deck and railing materials may also be considered non-combustible for the purpose of these regulations. Check with your local Fire Department for approval.

### **Can I Store My Charcoal Barbeque on My Combustible Balcony as Long as I No Longer Use It?**

Yes. But you should first check with your building manager/owner since the property may have more restrictive rules regarding barbeques.

### **Can I Store My LPG Barbeque on My Combustible Balcony as Long as I No Longer Use It?**

Yes, ~~(see section B above) but only~~ if the fuel tank is removed. ~~But you should first~~ First check with your building manager/owner since the property may have more restrictive rules regarding barbeques. Note that the removed fuel tank cannot be stored on the balcony, within 10 feet of combustible construction, or inside any enclosed structure. ~~[Note: Tanks cannot be stored on the li.e.- inside of a the dwelling unit. ]~~

### **Can I Connect (Manifold) Multiple Small Camp Stove-Size LPG Containers to Use in Place of a Larger LPG Tank to Fuel My Barbeque?**

No.

### ~~Are There Other Restrictions I Should be Aware of Regarding the Use of Propane Fuel?~~

~~Yes. If your building has more than one dwelling unit above the first floor, you must transport the LPG/Propane containers to your unit via an open exterior stairway. It is not acceptable to transport Propane containers greater than one pound capacity inside the common building areas (i.e., enclosed interior stairways and elevators).~~

### **Whom Do I Call If I Want to Report Someone Using Their Barbeque in Non-Compliance With These Regulations?**

Call your building manager/owner to report the incident or contact your local Fire Department's Fire Prevention ~~office~~ Office during normal business hours (Monday through Friday) to register a complaint.

**If I Install a Fire Sprinkler on My Balcony, Can I Use a Barbeque?**

No. The entire building — not just the balcony area — requires a fire sprinkler system.