



A publication of Fairfax County, Virginia



## CODE COMPLIANCE GUIDELINE

# OPEN-FLAME COOKING DEVICES

CHARCOAL BURNERS & OUTDOOR BARBEQUE GRILLS

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This publication outlines the Fire Prevention Code fire safety requirements and prohibitions related to the operation and storage of charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids in Fairfax County and the towns of Clifton, Herndon, and Vienna. This publication does not address recreational fires, bonfires, controlled burning, portable outdoor fireplaces, or portable heating appliances.

Questions regarding the content of this publication should be directed to the Fire Inspections Branch at 703-246-4849 during regular office hours, Monday thru Friday, 8:00 a.m. to 4:30 p.m.

## OVERVIEW

The intent of this publication is to provide information to help prevent unwanted fires resulting from the unlawful or unsafe operation and/or storage of charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids. In addition to specifying the regulations prohibiting the operation and storage of open-flame cooking devices, fire safety and precautionary information related to the operation of these devices is provided.

**NOTIFICATION OF TENANTS REQUIRED.** Section 308.1.4.1 of the Fire Prevention Code (as amended by Fairfax County) requires the management of multi-family residential occupancies which have balconies, decks, or patios notify their tenants in writing of the prohibitions outlined in Section 308.3.1 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.

## PROHIBITED OPERATION & STORAGE

**Endangering Property Prohibited.** In accordance with Section 307.5.1 of the Fire Prevention Code (as amended by Fairfax County), no person shall kindle, authorize to be kindled, or maintain any permitted (i.e., allowable) fire in such a manner that will endanger the property of another. This might include the unlawful or unsafe operation of charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids.

**Prohibited Operation & Storage.** In accordance with Section 308.1.4 of the Fire Prevention Code (as amended by Fairfax County), charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids shall not be operated or stored on a balcony or deck of any structure or within 15 feet of combustible construction or residential occupancy. The two exceptions to this prohibition include (a) cooking devices using electricity as a heating source and listed by a recognized testing authority and (b) operation and storage of these devices at detached one- and two-family dwellings and townhouses (townhouse definition

on next page). In addition, Section 313.1 of the Fire Prevention Code prohibits the storage, operation, or repair of fueled equipment such as portable cooking equipment within a building.

## **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 15 feet of residential occupancies other than detached one- and two-family dwellings and townhouses is against the law.

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

**A:** *No.* 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 15 feet.* A minimum distance of 15 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 15-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.

## **FIRE SAFETY REQUIREMENTS & PROHIBITIONS**

- 1. Manufacturer's Instructions.** All charcoal burners, open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids, and cooking devices using electricity as a heating source, shall be used in accordance with the manufacturer's instructions.
- 2. Flame Protection Required.** In accordance with Section 308.1.6.2 of the Fire Prevention Code, portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.
- 3. Attendance.** Cooking fires should be constantly attended. When using solid-fuel materials such as charcoal or wood, make sure the fire is completely extinguished after use. Do not leave smoldering fires unattended. If you allow a fire to smolder, it is not completely extinguished. Completely extinguish the fire including all hot ashes, cinders, embers, and smoldering coals. Then, properly and safely dispose of leftover ashes. Read more about disposal of ashes on pages four and five of this publication. When using liquefied petroleum gas (LPG) fueled cookers, be sure to shut off the gas supply at the tank valve after use.
- 4. Extinguishing Equipment.** Consult the manufacturer's instructions for precautions related to extinguishment of fire in a particular cooking device. A portable fire extinguisher with a minimum rating of 2A:20B:C should be readily available.
- 5. Quantity of Fuel.** Do not overload the solid-fuel cooking device with too much fuel such as charcoal or wood. Make a fire that fits your cooking device. Use only the quantity of allowable fuel the device is designed to hold in accordance with the manufacturer's instructions, limitations, or safety guidelines. A fire that is too large for the cooker not only wastes fuel, but can damage the cooking device and cause a hazardous fire condition.
- 6. Allowable Fuel.** In solid-fuel cooking devices, only materials approved by the manufacturer are permitted to be used as fuel, and must be used in accordance with the manufacturer's instructions, limitations, or safety guidelines. Devices using portable liquefied petroleum gas (LPG) cylinders must be safely used per the manufacturer's instructions.
- 7. Burning of Refuse Prohibited.** The burning of refuse in a barbeque grill, charcoal burner or open-flame cooking device is not an approved method for refuse disposal and is prohibited in Fairfax County and the towns of Clifton, Herndon, and Vienna. The definition of refuse

originates from Fairfax County air pollution control regulations (Chapter 103, Fairfax County Code) and shall mean and include garbage, rubbish, and trade waste defined as follows:

- **Garbage.** Garbage shall mean animal and vegetable matter such as that originating in houses, kitchens, restaurants and hotels, produce markets, food service or processing establishments, greenhouses, and hospitals, clinics or veterinary facilities.
- **Rubbish.** Rubbish shall mean solids not considered to be highly flammable or explosive such as, but not limited to, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, tree branches, yard trimmings, furniture, metal food containers, glass, crockery, masonry, and other similar materials.
- **Trade Waste.** Trade waste shall mean all solid or liquid material resulting from construction, building operations, or the prosecution of any business, trade or industry such as, but not limited to, plastic products, cinders and other forms of solid or liquid waste materials.

8. **Materials Producing Dense Smoke Prohibited.** The burning of rubber, asphaltic materials, combustible and flammable liquids, impregnated wood or similar materials which produce dense smoke is considered objectionable, a hazard and nuisance to the community, and is strictly prohibited.
9. **Ignitable Liquids and/or Hazardous Materials Prohibited.** Combustible and flammable liquids, as well as other hazardous materials, shall not be used to aid the ignition of solid fuels such as wood contained within a barbeque grill or open-flame cooking device. However, charcoal lighter/starter fluid can be used to start a cooking fire in a cooking device using charcoal as a fuel provided the starter fluid is used sparingly, never applied directly onto flames, and dispensed in accordance with manufacturer's instructions, limitations, or safety guidelines. The application, dispensing, or use of a combustible or flammable liquid, or any other hazardous material, upon or into the fuel used in any portable outdoor fireplace may be considered an unauthorized release of a hazardous material and is prohibited.
10. **Careless and Negligent Fires Prohibited.** In accordance with Section 307.6 of the Fire Prevention Code (as amended by Fairfax County), if any person shall carelessly or negligently set fire to, burn or cause to be burned any property, either real or personal, whether the property be his or that of another, he shall be subject to the penalties set forth in Section 62-1-1 of the Fairfax County Code. Operation of open-flame cooking devices in a hazardous manner contrary to manufacture's instructions and limitations for proper and safe operation may be considered careless or negligent in violation the Fire Prevention Code. This might include the improper disposal of hot ashes, cinders, and smoldering coals.

## **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.

**Get More Information.** For additional information about safe disposal of leftover ashes, refer to the Fire & Rescue Department's "Can Your Ashes" publication. This publication is available online at [www.fairfaxcounty.gov/fr/download/canyourashes.pdf](http://www.fairfaxcounty.gov/fr/download/canyourashes.pdf)

## **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:
  1. Turn off the gas tank and grill.
  2. If the leak stops, get the grill serviced by a professional before using it again.
  3. 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.

If you have any questions regarding the fire safety requirements and prohibitions related to the operation and storage of open-flame cooking devices, contact the Fire Inspections Branch at 703-246-4849 during regular office hours, Monday thru Friday, 8:00 a.m. to 4:30 p.m.

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