

# FIRE & RESCUE SERVICE

*Alan J. Martin, Fire Chief*

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DEPUTY CHIEF OPERATIONS

*Chris Williamson*

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*Travis Parker*

FIRE MARSHAL

*Gene Holcomb*

July 22, 2013

To Whom It May Concern,

This letter is to inform you of a section in the Fire Code that applies to use of certain cooking or heating devices in or near multi-family dwellings such as apartments. This provision does not affect one and two family residences.

**It is unlawful to operate a charcoal burner or other open-flame cooking device (including but not limited to hibachis, gas-fired grills, charcoal grills, turkey fryers and the like) on any balcony, under an overhang of a structure, or within 10 feet of any structure.**

Although such cooking devices are generally prohibited, the Fire Code allows for certain exceptions, especially when fire protection systems or non-combustible materials are used in the construction of the structure. For this section of the code, dealing with cooking devices on balconies and patios, the following are exceptions and therefore are allowable for use.

1. Properties where balconies and ground floor patios and decks are protected by an automatic sprinkler system; open flame cooking devices such as charcoal grills, hibachi, etc. are allowed.
2. For properties where balconies, decks and patios are built of non-combustible materials; open flame cooking devices such as charcoal grills, hibachi, etc. are allowed. (Notes that the fire code provides strict criteria for non-combustibility. Only a qualified person can determine whether a structure or material is non-combustible.)
3. U.L. approved electrical cooking devices are allowed on all balconies, patios, etc.

**Note: LP Gas Burners having an LP Gas container with a water capacity greater than 2.7 pounds are not allowed on combustible balconies or within 10 feet of combustible construction even if a sprinkler system is installed.**

Failure to comply with the Fire Code may result in criminal charges which may subject the individual charged to a fine of up to \$500 plus court cost restitution, and a jail sentence of up to six months. In addition, be advised that any violation of the fire code that causes personal injury or property damage may lead to more serious criminal charges and civil liability.

This letter supersedes previous letters regarding the section of the Fire Code. Thank you in advance for your cooperation. Should you have any questions please contact Gene Holcomb, Fire Marshal for the City of Tuscaloosa at 205-248-5420.

Sincerely,

A handwritten signature in cursive script that reads "Alan J. Martin".

Alan J. Martin, Fire Chief

Tuscaloosa Fire and Rescue Service

*Fire is Everyone's Fight*  
*"Pride, Commitment, Service"*