To: Property managers, owners and homeowner’s associations
Date: April 25, 2022
Subject: Barbecue grills

To whom it may concern,

The adopted 2021 International Fire Code establishes minimum requirements for life safety and property conservation within the City of Aurora. As a property manager, owner or homeowner association, it is incumbent upon you to ensure the International Fire Code (IFC) and Aurora Municipal Ordinances are followed by occupants, under penalty of civil liability and / or criminal prosecution. It should be noted that it is well within the rights and responsibilities of homeowner associations, owners, management companies, and other responsible entities to establish more stringent rules and regulations governing their respective properties.

Locally and nationally, fire departments have responded to a growing number of emergencies generated by the presence and use of various cooking appliances on balconies and decks. Fires in multiple family dwellings are a leading cause of fire-related injury and death in our jurisdiction. Liquid Petroleum Gas (propane) and charcoal fires have inherent safety issues that are compounded by their use close to combustible construction and living quarters. These safety issues and fire related property damage are magnified in a multiple family dwelling where structural components are shared throughout.

Barbecue grills are forbidden in multiple family occupancies with the exceptions of a fully sprinklered building or the use of one pound, “camping” propane cylinders as a fuel supply. All other barbecue grills must not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction. The following page outlines specific verbiage and stipulations, as well as clarification regarding the International Fire Code.

City Code states, “Any person who is an owner or manager of a property subject to any provision of this Code or regulation of the city shall be responsible for compliance with all of the provisions of such Code or regulation. An owner or manager shall be held liable for all violations of any such code, in connection with any land, buildings, structure, or matter or thing owned or operated by him or her and for any expenses incurred by the City in the enforcement of such codes” (Sec 1-12).

Penalties for violations of the City Code “unless otherwise provided in an ordinance and with the further exception of those penalties provided for traffic infractions as set out in subsection (f) of this section, whenever in any section of this Code or any section of a rule or regulation promulgated under this Code the doing of any act is required, prohibited or declared to be unlawful and no definite fine or penalty is provided for a violation thereof, any person who shall be convicted of or plead guilty or no contest to a violation of any such section shall, for each offense, be fined in a sum not more than $2,650.00 or imprisoned not to exceed one year, or both such fine and imprisonment. Each day an offense continues shall constitute a separate offense” (Sec 1-13a).
It is the responsibility of the above-listed parties to routinely monitor their properties to ensure fire code compliance and immediately address recognized violations. When required, responsible parties must gain compliance with unit owners in violations using their established, internal procedures.

Additional pertinent information:

Prohibited open-flame cooking devices include all charcoal grills, propane (LP-gas) grills that can accept a fuel tank greater than 2.5 lb. water capacity [1 lb. nominal weight (camping size)], all wood-pellet grills, smokers that use a fuel source other than only electricity, and any other open-flame burner which uses solid fuel or accepts a propane fuel supply greater than 2.5 lb. water capacity. Electric-only and LP-fueled cooking appliances capable of accepting only 2.5 lb. water capacity (1 lb. nominal weight) fuel bottles are the only cooking approved for use on unprotected balconies.

Prohibited open-flame cooking devices need not be in use to be found in violation. Also, a fuel supply does not need to be present to be in violation as it is assumed by Fire Code Officials that all open-flame cooking devices have a supply of fuel nearby.

For additional information, frequently asked questions, and links to references please visit Aurora Fire Rescue’s Life Safety & Fire Prevention page on www.auroragov.org.