

SUMMER IS HERE: GRILLING RULE VIOLATORS RISK FINES/IMPRISONMENT

by Steven J. Weil, Ph.D., EA, LCAM, Royale Management Services, Inc.

The Florida Fire Prevention Code (FFPC) prohibits cooking, using or storing gas or charcoal grills on balconies. This prohibition also includes fire pits and any other use of fire or flame devices.

The Code also prohibits the storage or use of liquid propane (L.P.) gas in quantities greater than one pound above the first floor in any apartment or condominium. Thus, L.P. gas grills cannot be stored on a balcony. It is important to note that neither can L.P. gas cylinders be stored inside the residential unit or anywhere above the first floor.

Electric grills had been permitted in years past, but the FFPC was amended, effective December 31, 2011, to prohibit their use as well. The current regulation provides that no hibachi, grill, or other similar devices used for cooking, heating, or any other purposes can be used or kindled on any balcony, under any overhanging portion, or within ten feet of any structure (other than one- and two- family dwellings). A subsequent amendment in 2014 also prohibited storage of these items.

The only exception to this rule is that listed equipment permanently installed in accordance with its listing, applicable codes, and manufacturer's instructions may be permitted.

Smoking, while not prohibited by law, also can be regulated under individual association rules.

What enforcement action will be taken for violators?

The local enforcement procedures and penalties for failure to comply with the Florida Fire Prevention Code, or the Uniform Fire Safety Standards, are found in Broward County Local Amendments to the Florida Fire Prevention F-101.4.

The ordinance states that violators of the fire code may be prosecuted in the same manner as misdemeanors; and, upon conviction, they may be punished by a fine not to exceed \$500.00 or by imprisonment in the County Jail not to exceed 60 days or both.

The ordinance also states that fire inspectors may issue civil citations to violators. A separate citation may be given for each violation, and each day that a violation continues is a separate offense. If the citation is not contested the penalty is \$50.00, plus court costs of \$8.00. If a violator chooses to contest the citation and is convicted, the judge may impose a penalty up to \$500.00 plus court costs for each violation.

Safety Tips from the National Fire Protection Association

Don't let fire make your summer memorable for the wrong reasons. The National Fire Protection Association offers these grilling safety tips:

- Propane and charcoal BBQ grills should only be used outdoors.
- The grill should be placed well away from the home, deck railings and out from under eaves and overhanging branches.
- Keep children and pets away from the grill area.
- Keep your grill clean by removing grease or fat buildup from the grills and in trays below the grill.
- Never leave your grill unattended.

It pays to be safe at all times. Protect yourself, your neighbors and your property.