308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:
1. One- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2\(\frac{1}{2}\) pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

This section contains a strict prohibition on the use of charcoal-burning grills and other open-flame cooking devices in the locations described. Its intent is to mitigate the potential for hot embers to fall from the firebox of the cooking device and ignite a combustible surface, such as a wooden balcony or deck. The 10-foot (3048 mm) separation also reduces the likelihood that fire-starting or cooking flare-ups will come in contact with combustible wall construction that is easily ignited. Since this section appears to regulate only the operation of the cooking devices, it is often asked if the devices can even be located or stored in the locations described. In the case of LP-gas fired grills using containers larger than those described in Exception 3, the answer is generally no, based on Section 6.20.11.2 of NFPA 58, which does not allow larger containers to be transported through an occupied building. See Sections 6101.1 and 6104.1 of the code for references to NFPA 58.

In the case of locating non-LP-gas-fired cooking devices, the location would have to be approved by the fire code official. Note that the prohibition in this section would also apply to gas grills connected to the building’s fuel gas piping system since they are still open flame cooking devices. See also Section 603.4.2.1.1.

Exception 1 exempts one- and two-family dwellings from the requirements of this section and would allow the use of LP-gas barbeque grills of any size on balconies of such buildings. In those occupancies, the level of familiarity and control exercised by the building occupants is recognized as offsetting the hazards of using open-flame cooking devices. There are practical difficulties involved in enforcing such regulations in one- and two-family dwellings as well.

Exception 2 recognizes the added protection provided by sprinklers. Exception 3 allows small LP-gas burning devices such as the tabletop grills or units that might be used in cooking within residential occupancies.