



OFFICE OF INSURANCE AND SAFETY FIRE COMMISSIONER

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SEVENTH FLOOR, WEST TOWER
FLOYD BUILDING
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ATLANTA, GEORGIA 30334
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TO: All Interested Parties

FROM: John W. Oxendine
Insurance & Safety Fire Commissioner

RE: Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3

Recently, I have received inquiries concerning the Rules and Regulations of the Office of Safety Fire Commissioner Chapter 120-3-3, specifically §120-3-3-.04(5)(a), regarding the requirement prohibiting charcoal or liquefied petroleum (LP) gas or liquid fueled burners from being kindled or maintained on balconies or within 10 feet of combustible patios on ground floors.

Chapter 120-3-3 was promulgated pursuant to O.C.G.A. §25-2-4, to enact minimum fire safety standards for the protection of lives and property. The intent behind this particular provision is to eliminate the kindling of a grill on balconies or within 10 feet of combustible patios on ground floors. In addition, the intent of the verbiage, "maintained" relates to maintaining a kindled fire for a charcoal grill or maintaining a fuel source such as a large LP cylinder which has been restricted by Section 3-4 of NFPA 58 since 1986. This standard currently limits the size of these containers to a maximum water capacity size of 2.5 lbs. except as specifically stipulated in paragraph 3-4.8.2 of NFPA 58.

The grill itself is not considered the hazard. Rather, the kindled fire and fuel source are the hazards. As an example, if a charcoal grill is placed upon a balcony it would not be considered hazardous until it is kindled with its fuel source. If a liquid fueled burner or liquefied petroleum gas burner was placed on a balcony, it would not be considered hazardous if the fuel source is removed from the grill and stored properly as allowed by NFPA 58 for LP gas and NFPA 30 for other combustible liquid fuels. The grill itself, without the fuel source, could be kept on the balcony without violating this particular state minimum fire standard.

If you have any questions regarding the application of Chapter 120-3-3, please contact Assistant State Fire Marshal Dwayne Garriss at (404) 656-7087.

This 21st day of April, 1999.


JOHN W. OXENDINE
INSURANCE & SAFETY FIRE COMMISSIONER
STATE OF GEORGIA