

Barbecues and Open Flames on Balconies and Patios

Background

Barbecue grills appear on the balconies and patios of multi-family dwellings all year round in Minnesota. The use and storage of solid fuel or propane cooking equipment on patios and balconies has resulted in a number of fires in Minnesota.

In many towns and cities this practice is prohibited by local ordinance or by adoption of Appendix O in the 2020 Minnesota State Fire Code (MSFC). The MSFC does not prohibit barbecue grills on balconies and patios of multi-family occupancies unless the local governing body regulates this by ordinance.

Minnesota State Fire Code Appendix O

Here is the information in Appendix O regarding fires or barbecues on balconies or patios.

- **1.1 Open Flame Prohibited.** In any structure containing three or more dwelling units, no person shall kindle, maintain, or cause any fire or open flame on any balcony above ground level, or on any ground floor patio within 15 feet of a structure.
- **1.2 Fuel Storage Prohibited.** No person shall store or use any fuel, barbecue, torch, or other similar heating or lighting chemical or device in the locations designated in Section 1.1.
- **Exception:** Listed electric or gas-fired barbecue grills that are permanently mounted and wired or plumbed to the building's gas supply or electrical system and that maintain a minimum clearance of 18 inches on all sides, unless listed for lesser clearances, may be installed on balconies and patios when approved by the chief.

Additional information

An option available to local jurisdictions that have not adopted Appendix O is to encourage apartment building owners to incorporate language into their leases that prohibits barbecue grills from being used or stored on balconies and patios.

To determine if an ordinance regulating open fires on balconies or patios has been adopted where you live, contact your local fire marshal or fire department.



Minnesota Department of Public Safety State Fire Marshal Division

Safety considerations

Barbecuing in any environment presents certain hazards that people should consider so that they can take precautions to reduce the likelihood of starting a fire. Here are a few tips that can help make barbecuing safer:

- Charcoal briquettes should be stored in a dry area because damp or wet charcoal is sensitive to spontaneous heating once dried.
- The use and storage of barbecue grills should be restricted to the outdoors. Never use barbecue grills for home heating or indoor cooking.
- Charcoal briquettes should be allowed to cool naturally a safe distance from structures and combustible materials and then disposed of properly.
- Charcoal lighter fluid should be properly stored, away from living areas of the home.
- Propane cylinders shall be stored outside at least 10 feet from building openings such as windows and doors.

Smoking on balconies and patios

With more people smoking outside of their homes comes another fire danger for multi-family buildings. There have been a number of large apartment fires caused by the improper disposal of smoking materials. If you are smoking on a balcony or patio dispose of your smoking materials in an approved ash tray. Do not extinguish the butt into a plastic coffee can or into a flower pot. Potting soil in flower pots is not just dirt, but contains filler items that can easily be ignited by smoldering smoking materials. The fire is not immediate, but can occur hours later when the burning soil ignites the plastic flower pot and spreads across the wood deck to the building.

Contact us

If you have any questions relating to the adoption of fire code appendices or any other code issue, please contact the State Fire Marshal Division at fire.code@state.mn.us or visit our [website](#) for the latest information on fire in Minnesota.

