

Providence Gateway Condominium Association Rule – Open-Flame Devices and Fire Code Compliance

1. Purpose

This Rule is adopted to promote fire safety, reduce property and casualty risk, and ensure compliance with both the Utah State Fire Code (as adopted in Utah Code § 15A-5-103) and the risk mitigation standards commonly applied by property insurance carriers and professional loss control assessors. The Rule is further intended to: (a) preserve insurability and help minimize premiums under the Association’s property insurance policies; (b) protect the health and safety of residents and guests; and (c) reduce the Association’s potential liability exposure arising from preventable fires.

This Rule also supplements the provisions of Section 9.10 of the Declaration¹ by defining fire-safety standards for the use and storage of grills and other open-flame devices on decks, balconies, patios, and other applicable areas.

2. Definitions

A. “Combustible Construction” means any building material or surface that is capable of igniting and burning, including, without limitation, wood or vinyl siding, wood fencing or decking, wood framing, and the exterior walls of dwellings, garages, or other improvements made from combustible material. This term excludes construction made entirely of non-combustible materials, such as concrete, brick, or stucco over masonry.

B. “Fire Code” means Utah Code § 15A-5-103 (the “Utah State Fire Code Act”)² and Section 308, including 308.1.4, of the International Fire Code,³ as adopted and amended by the State of Utah.

C. “Open-Flame Cooking Device” means any outdoor cooking device that produces an open flame, including, without limitation, gas grills, charcoal grills, pellet grills, barbecues, hibachis, and any other cooking device restricted under the Fire Code.

D. “Open-Flame Device” means any device that produces an open flame, including all Open-Flame Cooking Devices as well as other flame-producing outdoor devices such as fire pits (wood- or propane-fueled), chimineas, torches, open-flame patio heaters, decorative flame tables, and similar outdoor equipment. This term excludes permanently installed indoor gas appliances, such as gas ovens, stoves, cooktops, dryers, water heaters, and furnaces, when installed and used indoors in accordance with applicable building codes.

¹ Amended and Restated Declaration of Condominium for Providence Gateway recorded as Entry No. 1313236 in the Cache County, Utah Recorder’s Office on February 24, 2022.

² https://le.utah.gov/xcode/Title15A/Chapter5/15A-5-S103.html?v=C15A-5-S103_2024070120240501

³ The International Fire Code (IFC) is a model code developed by the International Code Council (ICC). The version adopted by the State of Utah is incorporated by reference in Utah Code § 15A-5-103 and may be viewed online at <https://codes.iccsafe.org>. The IFC is copyrighted by the ICC. Use and distribution of its text is subject to licensing restrictions.

