



# THE CINCINNATI INSURANCE COMPANIES

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Jeff Rodocker, ALCM, CPEA  
Loss Control Consultant

March 4, 2011

Ms. Michele Chitwood  
McGowan Insurance Group, Inc.  
10 W. Market Street, Suite 1850  
Indianapolis, IN 46204

**RE: LaSalle's Woods Association of Owners, Inc.**  
**Policy: EPP 0005465**

Dear Michele:

In response to a request from the Commercial Lines Underwriting Department regarding the presence and use of grills/cooking devices on balconies and patios, please note the following.

The topic was reviewed by this writer with the Legal and Code Services division of the Indiana Department of Homeland Security. Accordingly, Section 308 of the Indiana Fire Code, as provided below by the referenced resource, states:

***“308.3.1 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3,048 mm) of combustible construction.***

***Exceptions:***

- 1. One- and two-family dwellings.*
- 2. Where buildings, balconies and decks are protected by an automatic sprinkler system.*

***308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices. LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds [nominal 1 pound (0.454 kg) LP-gas capacity] shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.***

***Exception:***

- 1. One- and two-family dwellings.*
- 2. Where buildings, balconies and decks are protected by an automatic sprinkler system.”*



Further research of Section 1 of the National Fire Protection Association Fire Codes revealed the same type of prohibition. NFPA 1 states:

*“For other than one and two family dwelling, no hibachi, grill, or other similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 ft (3 m) of any structure.”*

Based on the referenced codes, the use of the cooking devices specified in the codes on patios and balconies, as well as within the 10 ft spacing outlined, is not permitted.

It is therefore our formal recommendation to the captioned insured that action be taken to fully and promptly comply with the referenced requirements of the Indiana Fire Code, as well as NFPA 1.

Please feel free to contact me should you or our valued customer have any questions.

Sincerely,

**Jeff Rodocker, ALCM, CPEA**  
Loss Control Consultant

CC: Christine Montgomery, The Cincinnati Insurance Company

*Our loss control service is advisory only. We assume no responsibility for management or control of customer loss control activities nor for implementation of recommended corrective measures. This report is based on information supplied by the customer and observations of conditions and practices at the time of the visit. We have not tried to identify all hazards. We do not warrant that requirements of any federal, state or local law, regulation or ordinance have or have not been met.*