



**OCEAN CITY FIRE MARSHAL'S OFFICE**  
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**MEMORANDUM**

Subject: Grilling Requirements for Multifamily Townhouse Style Structures	Memo #: 2020-001
	Effective: June 1, 2020
Authority: Deputy Chief Josh Bunting, Fire Marshal 	Internal (FMO Staff)

Where addressing complaints/referrals regarding grilling, the Ocean City Fire Prevention Code (OCFPC) requirements for cooking/grilling shall be applied to multifamily townhouse-style structures, regardless of fire protection/unit separation between dwelling units:

OCFPC 34-43(a)(16): The use of charcoal burning, other fuel burning or electrical cooking equipment outside of any multifamily dwelling shall be prohibited unless such cooking equipment is at least 20 feet from every part of the building.

To provide clarity on the restriction of grilling in multi-family dwellings in the Town of Ocean City, specifically as it relates to townhouse-style structures, the following background information establishes the appropriate enforcement of grilling requirements:

Townhouse style structures are classified by the National Fire Protection Association (NFPA), within the Life Safety Code, as one and two-family dwellings when separated in accordance with the Authority Having Jurisdiction (AHJ). If the townhouses are not separated as required by the AHJ, they are to be classified as an apartment occupancy. The OCFPC requires that to be considered a townhouse, each dwelling must be separated with fire walls and provided with a sprinkler system. The OCFPC further dictates the type of sprinkler system to be provided in the townhouse style building, depending on the arrangement of exterior balconies and decks.

As townhouses are typically classified as one and two-family dwellings, they are excluded from enforcement of the State Fire Prevention Code, which adopts by reference NFPA 1, Fire Code, and the subsequent grilling requirements contained therein.

The OCFPC, however, in addition to adopting the State Fire Prevention Code, provides an independent definition for "Multifamily Dwellings", which are buildings containing three or more dwelling units. The requirements and definition for Multifamily dwellings are not contained within the Life Safety Code or the State Fire Prevention Code. Rather, the requirements are specific to the OCFPC. As such, the OCFPC requires all grilling to be at least 20' from multi-family dwellings, which includes townhouse-style structures with 3 or more units, regardless of fire separation or sprinkler protection.