

Kingswood Village Open Flame Grill Ban Frequently Asked Question

1. What are the new regulations? KVPOA RULES AND REGULATIONS

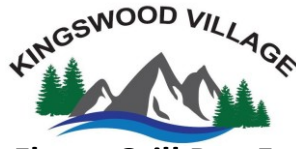
- Page 10: Safety and Insurance #4: “Due to the extreme wildfire danger in the area and a condition of issuing casualty insurance, all open flame grill devices, covered or uncovered, with the exception of those provided by KVPOA, are banned on all Kingswood Village property, including but not limited to common areas, parking lots, entry decks, and decks. Electric grills are allowed to be used on decks, but must be inspected and registered with property management before use. Any violation of this policy will be considered a safety violation and subject to a safety violation fine as outlined in Kingswood Village Fine Schedule of our Rules and Regulations. This emergency Operating Rule is effective immediately and will remain in effect for 120 days at which time this operating rule change will become permanent.”
- Page 10 SAFETY AND INSURANCE: #3 All ashes from fireplaces must be disposed of in the approved ash buckets located next to the garbage dumpsters. Fire danger in the region is very high and extreme caution must be exercised. Dump ashes in red cans near outside dumpsters immediately. Do not leave filled ash buckets on the decks. Any violation of this policy will be considered a safety violation and subject to a safety violation fine as outlined in Kingswood Village Fine Schedule of our Rules and Regulations.

2. What is considered Open Flame Grill? Any device that heats with a combustible material that produces a flame, covered or uncovered is considered an open flame grill and is banned.

3. What is the fine for a safety violation? FINES PROCEDURE: Page 12 4.2 The Property Manager or his designee has the authority to declare a situation a fire safety violation and issue an immediate safety violation as outlined in KVPOA fine schedule. **SAFETY VIOLATION.....\$500** Continuing SAFETY violations Daily fines of \$500 until corrected

4. When did Kingswood find out that CIBA would not allow open flame grills and what steps did you take?

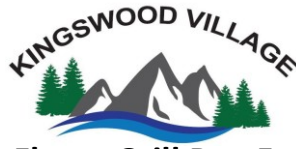
Last August CIBA sent a group of inspectors to review our complex. It was noted in a letter sent from CIBA that action would be needed regarding open flame grills. Our Insurance Broker, John Antaki from Integro Insurance, began negotiations with CIBA to try to get them to waive this demand. Negotiations began in earnest in late fall with no resolutions. As CIBA held firm, Mr. Antaki began seeking alternative coverage with other companies. He informed the board of the potential problem at this time. In January of 2019, Tim Booth, VP in charge of insurance, shared that it appeared CIBA was holding firm regarding open flame grills, but we were still hopeful there would be a resolution. The board started actively investigating all options, including finding out what other complexes did, what insurance they used, etc. In February, the board received a list of all insurance policies and the status of open flame grills. The board was told that John Antaki would attend our March meeting to present his final options to the board. In March Mr. Antaki presented the board with a list of all the companies he had contacted seeking those that would provide insurance coverage that allowed grills. He found many that were no longer serving the Tahoe area or had instituted the ban on open flame grills. To find insurance that would cover open flame grills, several policies would have to be laddered, put together, to find something remotely comparable to our current policy. At the March board meeting Mr. Antaki was asked to present his last and best offer so that the board could reach a decision regarding the grill ban. Homeowners were informed via an eblast of the potential ban on March 17th. Homeowners were told if there was a viable choice, they would be given a



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chance to share their opinion. The following week many communications were shared between board members, our broker, and legal counsel as well as input from homeowners to the board's email address. The final quote came in at an increase of 200% over our current policy. These companies did not offer any guarantees that they would not ban open flame grills in subsequent years. After receiving advice from legal counsel, it was apparent there were no viable alternatives to this demand. The board held an emergency conference call meeting on March 27, 2019 for our final decision. The vote to accept CIBAs demands and ban open flame grills was decided by unanimous decision. Homeowners were notified via the newsletter, a letter mailed to each homeowner's home address, as well as placed in their townhomes at Kingswood. The board's acceptance of policy terms was signed and KVPOA's insurance was continued without interruption.

5. **What would be the additional cost per unit if we found insurance that allowed grills?** In our research the cost per unit would be approximately \$68/ month. Our legal counsel, Ric Fong provided the following legal opinion: *"In my opinion paying an increased premium of 18% to continue using open flame grills would not be viewed as a reasonable defense if KVPOA were sued because a member or their guest were killed or injured as a result of a fire started by an open flame grill. Paying a penalty of 18% more on an insurance premium to continue with a practice with inherent danger would in my opinion strengthen the argument that an association was negligent in not banning open flame grills. "*
6. **What should we do if we can't get to Tahoe to remove our grill before May 29th?** Kingswood Village maintenance department is committed to assisting homeowners with the implementation of this ban. Contact David Stirling via email at kingswood.tahoe@gmail.com to inform him of your situation. The maintenance crew will remove and store your barbecue for you. KVPOA is waiving service costs for this request.
7. **Can camping grills be taken out into the parking lot or any of the other common areas?** No
8. **Will heat lamps be allowed on decks?** Any device that heats with a flame involving a combustible material is included in the ban. Heat lamps powered by propane will be considered a safety hazard and be banned.
9. **Will Traeger Pellet Grills be allowed?** Traeger Grills are not allowed as they are considered an "open flame device". They function by burning wooden pellets. A hot rod ignites the pellets, starting a fire. A fan then stokes the flames, creating convection heat.
10. **What are the plans for common area grill areas?** The installation of common area grills are being discussed by the landscaping committee at this time. This matter will be brought to the board in the coming months for consideration. The installation of these will require very careful thought and planning. Some homeowners have requested that grills be located close to their units for convenience, while others have stated they do not want group barbecues near their units due to the increase smoke, noise, and traffic.
11. **What happens if one of my renters brings a grill and uses it on the deck?** Homeowners are responsible for the conduct of their renters. If a renter brings an open flame grill to Kingswood, a safety violation will be issued to the homeowner of the unit. It will be the responsibility of the homeowner to collect the \$500 fine from their renter.
12. **Has Kingswood ever had a fire caused by a barbecue?** No.



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13. What is involved in the electric grill approval process? Your electric grill must meet the following specifications:

Electric Grill Specifications:

- The only grills allowed on the decks at Kingswood are fully electric grills that operate on 120v (standard electrical outlet). Electric pellet smoker grills do not meet current requirements.
- Electric grills should be plugged into GFI protected outlets.
- Read and understand all of the manufacture's requirements and safety guidelines prior to use.
- If you have an exterior outlet present on the deck you wish to grill on; you may use the outlet to power your grill. This outlet is more than likely on a 15-amp circuit that supplies other outlets in your unit. If the circuit breaker pops, stop grill use and call an electrician.
- Because of the original circuit design, it is possible that running the grill on a shared circuit may cause an overload which is a fire hazard.
- Do not simply change the breaker to a higher amp rated breaker. This will cause wires of that circuit to melt under load and will cause a fire.
- Do not "extend" or tap an additional outlet into an existing interior circuit. This will overload the wires of the circuit.
- If there is no outlet available on the deck you will need to contract with a certified electrician to install one.
 - The current building code will require that the grill is on a dedicated (un-shared) circuit.
 - An architectural application will need to be submitted, reviewed, and approved prior to any work being done. Applications can be found on our website: kvpoa.org
 - A permit must be obtained through Placer County, and proof of final inspection must be filed once the work is completed. Note: The final building permit sign off will include the required smoke and carbon monoxide detectors.
 - External Conduit runs will be allowed so long as they are installed according to the architectural committee's guidelines.
- Do not use an extension cord to reach an interior outlet or an exterior outlet on the lower deck. If an under gauged cord is used, the cord will melt.
- Do not plug any appliance into the external light fixture.
- Do not use an electric grill near combustible or flammable materials.
- When you have met these specifications, contact David Stirling at kingswood.tahoe@gmail.com. He will come to your unit and inspect your grill, electrical outlet connections, and complete the inspection form. Once you have fulfilled all of the requirements, you will be issued a tag that will be installed on the exterior of your balcony specifying that you have met all KVPOA requirements for grilling. Use of an electric grill prior to receiving a tag may result in a \$500 fine.
- Any installation questions should be directed to David Stirling at kingswood.tahoe@gmail.com