

CHAPTER 6.6

WOOD BURNING APPLIANCES

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Sec. 6.6-10. Findings

(a) The State Air Resources Board (ARB) adopted a particulate matter (PM10) Ambient Air Quality Standard (AAQS) in December 1982, and levels for the PM10 AAQS were selected pursuant to California Code of Regulations Title 17 Section 70200 to protect the health of people who are sensitive to exposure to fine particles.

(b) Research indicates that wood smoke is a significant contributor to PM10 levels that pose significant health risks.

(c) The County of Solano desires to lessen the risk to life and property from air pollution from wood burning appliances.

(d) The County of Solano finds that the proposed regulation will significantly reduce the increase in particulate emissions from future installation and construction activities in the unincorporated areas of the county.

(e) The County of Solano finds that a need exists to adopt regulations which apply to wood burning combustion emissions in the unincorporated areas of the county.

(Ord. No. 1668, §1)

Sec. 6.6-20. Definitions

(a) "Bay Area Air Quality Management District" means the air quality agency for the San Francisco Bay Area pursuant to California Health and Safety Code Section 40200.

(b) "E.P.A." means United States Environmental Protection Agency.

(c) "E.P.A. certified wood heater" means any wood heater that meets the standards in Title 40, Part 60, Subpart AAA, Code of Federal Regulations in effect at the time of installation and is certified and labeled pursuant to those regulations.

(d) “Fireplace” means any permanently installed masonry or factory-built wood burning appliance, except a pellet-fueled wood heater, designed to be used with an air-to-fuel ratio greater than or equal to 35 to 1.

(e) “Garbage” means all solid, semi-solid and liquid wastes generated from residential, commercial and industrial sources, including trash, refuse, rubbish, industrial wastes, asphaltic projects, manure, vegetable or animal solids and semi-solid wastes, and other discarded solid and semi-solid wastes.

(f) “Gas fireplace” means any device designed to burn natural gas in a manner that simulates the appearance of a wood burning fireplace.

(g) “Paints” means all exterior and interior house and trim paints, enamels, varnishes, lacquers, stains, primers, sealers, undercoatings, roof coatings, wood preservatives, shellacs, and other paints or paint-like products.

(h) “Paint solvents” means all organic solvents sold or used to thin paints or to clean up painting equipment.

(i) “Pellet-fueled wood heater” means any wood burning appliance that operates exclusively on wood pellets.

(j) “Solid fuel” means wood or any other non-gaseous or non-liquid fuel.

(k) “Treated wood” means wood of any species that has been chemically impregnated, painted or similarly modified to improve resistance to insects or weathering.

(l) “Waste petroleum products” means any petroleum product other than gaseous fuels that has been refined from crude oil, and has been used, and/or as a result of use, has been contaminated with physical or chemical impurities.

(m) “Wood burning appliance” means fireplace, wood heater, or pellet-fired wood heater or any similar device burning any solid fuel used for aesthetic or space-heating purposes.

(n) “Yolo-Solano Air Quality Management District” means the air quality agency for Yolo County and the northeastern portion of Solano County pursuant to California Health and Safety Code Section 40100.

(Ord. No. 1668, §1)

Sec. 6.6-30. Applicability

(a) All wood burning appliances installed in new residential units or wood burning appliances being added to or replacing wood burning appliances in existing residential units shall comply with this Chapter. This Chapter does not

apply to portable outdoor wood burning appliances or to wood burning appliances that serve as the sole heating source for an existing place of residence.

(b) All wood burning appliances installed in new commercial buildings or wood burning appliances being added to or replacing wood burning appliances in existing commercial buildings shall comply with this Chapter. Commercial buildings shall include, but not be limited to hotels and restaurants. This Chapter does not apply to portable outdoor wood burning appliances.

(c) Gas fireplaces shall be exempt from this Chapter. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood burning appliance and shall be subject to the requirements of this Chapter.

(d) A wood burning appliance shall comply with this Chapter if:

(1) It is reconstructed, or

(2) Additions, alterations, or repairs are made to the appliance that require opening up immediately-adjacent walls.

(Ord. No. 1668, §1)

Sec. 6.6-40. General Requirements

(a) Any person who plans to install, add, or replace a wood burning appliance within the unincorporated area of Solano County must submit documentation to the building division of the County of Solano, demonstrating that the appliance is a pellet-fueled wood heater, an EPA certified wood heater, or a fireplace certified by EPA should EPA develop a fireplace certification program.

(b) It shall be unlawful to install, add, or replace a wood burning appliance that is not one of the following: (1) a pellet-fueled wood heater; (2) an EPA certified wood heater; or (3) a fireplace certified by EPA should EPA develop a fireplace certification program.

(c) It shall be unlawful to use any of the following prohibited fuels in a wood burning appliance:

(1) Garbage

(2) Treated wood

(3) Plastic products

(4) Rubber products

- (5) Waste petroleum products
- (6) Paints
- (7) Organic paint solvents
- (8) Coal
- (9) Glossy or colored papers
- (10) Particle board
- (11) Salt water driftwood
- (12) Plywood
- (13) Hazardous Wastes

(d) Solano County may assist a local Air Quality Management District (AQMD) in providing public notification during an announced warning or advisory by the local AQMD to voluntarily suspend all wood burning activities in the district. Methods of public notification can include a notice published in local newspapers, email notifications, and notices broadcast through radio or television.

(Ord. No. 1668, §1)

Sec. 6.6-50. Violations

(a) It is unlawful and constitutes a misdemeanor for any person to violate or fail to comply with any provision of this chapter. A misdemeanor shall be punishable by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

(Ord. No. 1668, §1)

Sec. 6.6-60. Severability

Any portion of this ordinance deemed invalid or unenforceable shall be severed from the remainder which shall remain in full force and effect.

(Ord. No. 1668; §1)