



**COMMUNITY DEVELOPMENT DEPT.**

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10/1/2010

**REQUIREMENTS FOR WOOD BURNING FIREPLACES**

This handout describes the requirements for the construction, alteration, or repair of wood burning appliances as stipulated in the City of Menlo Park Ordinance 12.52, Wood-burning Appliances and the Bay Area Air Quality Management District's (BAAQMD) Regulation 6, Particulate Matter; Rule 3, Wood-Burning Devices (Reg. 6, Rule 3). A wood-burning appliance is defined in Ordinance 12.52 as a fireplace, wood heater, or pellet-fired wood heater or any similar device burning any solid fuel used for aesthetic or space-heating purposes.

**Scopes of work regulated by Ordinance 12.52**

- Installation of any new wood-burning appliance in all residential and commercial buildings;
- Reconstruction of an existing wood-burning appliance;
- Additions, alterations or repairs to a wood-burning appliance, except minor repairs such as damper or firebox repairs, seismic bracing, and/or flue liner replacements **where the alteration or repair will not cause the de-construction of existing fireplace, chimney, and/or flue;**
- Remodels or renovations of buildings in which walls are opened within 12 inches of the wood-burning appliance, including masonry fireplaces; and
- Any extension of a chimney is considered an alteration and will require compliance with Ordinance 12.52.

**THE BUILDING OFFICIAL SHALL HAVE THE FINAL AUTHORITY TO DETERMINE WHETHER A REPAIR CONSTITUTES A "MINOR REPAIR"**

**Scopes of work exempt from Ordinance 12.52**

- New and existing natural gas fireplaces, log sets, and inserts; and
- Existing wood-burning fireplaces, wood-burning heaters and/or other wood-burning appliances unaltered during construction and where the surrounding walls are undisturbed within 12 inches of the appliance.

All wood-burning appliances regulated by Ordinance 12.52 and/or BAAQMD Reg. 6, Rule 3 shall be U.S. EPA Phase II certified. A pellet-fueled device, emission reduction device or a low mass fireplace (pre-fabricated in a manufacturing facility prior to installation), masonry heater or other wood-burning appliance of a make and model that meets EPA emission targets and has been approved in writing by the Air Pollution Control Officer of the BAAQMD may be installed.

For a list of EPA certified wood-burning appliances visit:

[www.epa.gov/compliance/resources/publications/monitoring/caa/woodstoves/certifiedwood.pdf](http://www.epa.gov/compliance/resources/publications/monitoring/caa/woodstoves/certifiedwood.pdf)