

1 [Woodburning Fireplaces.]

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3 **Ordinance amending Chapter 31 of the San Francisco Building Code by adding Section**  
4 **3102.8 to ban the installation of nonapproved woodburning fireplaces and similar**  
5 **devices in new and remodeled buildings and by prohibiting the use of certain fuels in a**  
6 **woodburning appliance; exemptions are provided for woodburning appliances that are**  
7 **designed primarily for food preparation in new or existing restaurants, and historic**  
8 **woodburning appliances installed in historic structures; adopting findings.**

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Note: This section is entirely new.  
Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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Be it ordained by the People of the City and County of San Francisco:

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Section 1. Chapter 31 of the San Francisco Building Code is hereby amended by  
amending Section 3102.8, to read as follows:

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Sec. (a) In 1982, the State Air Resources Board (ARB) adopted a particulate  
matter (PM10) Ambient Air Quality Standard (AAQS). 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.

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

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(c) The City and County of San Francisco desires to lessen the risk to life and  
property from air pollution from woodburning appliances.

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(d) The City and County of San Francisco finds that the proposed regulation will  
significantly reduce the increases in particulate emissions from future installation and  
construction activities.

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1           (e) The City and County of San Francisco finds a need exists to adopt regulations  
2 which apply to woodburning combustion emissions.

3           Section 2. Chapter 31 of the San Francisco Building Code is hereby amended by  
4 adding Section 3102.8 to read as follows:

5 3102.8 Woodburning Appliances.

6 3102.8.1 Definitions. The definitions set forth in this Section shall govern the application  
7 and interpretation of this Section.

8 Bay Area Air Quality Management District means the air quality agency for the San  
9 Francisco Bay Area established pursuant to California Health and Safety Code Section  
10 40200.

11 EPA means the United States Environmental Protection Agency.

12 EPA Certified Wood Heater means any wood heater that meets the standards in Title  
13 40, Part 60, Subpart AAA, Code of Federal Regulations in effect at the time of installation and  
14 is certified and labeled pursuant to those regulations.

15 Fireplace means any permanently installed masonry or factory-built appliance that  
16 burns wood, except a pellet-fueled wood heater, designed to be used with an air-to-fuel ratio  
17 greater than or equal to thirty-five (35) to one (1).

18 Garbage means all solid, semi-solid and liquid wastes generated from residential,  
19 commercial and industrial sources, including trash, refuse, rubbish, industrial wastes,  
20 asphaltic products, manure, vegetable or animal solids and semi-solid wastes, and other  
21 discarded solid and semi-solid wastes.

22 Gas Fireplace means any device designed to burn natural gas in a manner that  
23 simulates the appearance of a woodburning fireplace.

1 Paints means all exterior and interior house and trim paints, enamels, varnishes,  
2 lacquers, stains, primers, sealers, undercoatings, roof coatings, wood preservatives, shellacs,  
3 and other paints or paint-like products.

4 Paint Solvents means all original solvents sold or used to thin paints or to clean up  
5 painting equipment.

6 Pellet-Fueled Wood Heater means any appliance that burns wood and operates  
7 exclusively on wood pellets.

8 Reconstruction means the complete rebuilding of the woodburning appliance such that  
9 all or a substantial portion of its parts are new. It does not include repairs made to the  
10 appliance in order to make it safer or more efficient.

11 Solid Fuel means wood or any other non-gaseous or non-liquid fuel.

12 Treated Wood means wood of any species that has been chemically impregnated,  
13 painted or similarly modified to improve resistance to insects or weathering. It does not  
14 include products such as Duraflame or Presto logs that are specifically designed and sold to  
15 be burned in a woodburning appliance.

16 Waste Petroleum Products means any petroleum product other than gaseous fuels that  
17 has been refined from crude oil and has been used, and as a result of use has been  
18 contaminated with physical or chemical impurities.

19 Wood Heater means a stove that burns wood.

20 Woodburning Appliance means fireplace, wood heater, or pellet-fueled wood heater or  
21 any similar device burning any solid fuel used for aesthetic or space-heating purposes.

22 3102.8.2 Residential installations. All woodburning appliances installed in new residential  
23 units or woodburning appliances being added to or replacing woodburning appliances in  
24 existing residential units shall comply with this Section.

1 3102.8.3 Commercial installations. All woodburning appliances installed in new  
2 commercial buildings or woodburning appliances being added to or replacing woodburning  
3 appliances in existing commercial buildings shall comply with this Section. Commercial  
4 buildings shall include, but not be limited to, hotels and restaurants.

5 3102.8.4 Gas fireplaces. Gas fireplaces shall be exempt from the requirements of this  
6 Section. However, the conversion of a gas fireplace to burn wood shall constitute the  
7 installation of a woodburning appliance and shall be subject to the requirements of the  
8 Section.

9 3102.8.5 Additions, alterations or repairs. A woodburning appliance shall comply with this  
10 Section if:

- 11 1. the appliance is reconstructed; or  
12 2. the appliance is being replaced, additions, alterations, or repairs are made to the  
13 appliance that require opening up immediately adjacent walls; or  
14 3. the residential unit or commercial building in which the appliance is located is  
15 renovated and the renovation includes opening up walls within twelve inches of the appliance.

16 3102.8.6 Unauthorized appliances prohibited. No person shall install a woodburning  
17 appliance that is not one of the following:

- 18 1. a pellet-fueled wood heater;  
19 2. an EPA-certified wood heater; or  
20 3. a fireplace certified by the Northern Sonoma Air Pollution Control District.

21 EXCEPTIONS: 1. Woodburning appliances that are designed primarily for food  
22 preparation in new or existing restaurants.

23 2. Historic woodburning appliances installed in historic structures, as determined  
24 by the Director of the Department of Building Inspection in consultation with the  
25 Director of the Department of Planning.

1 3102.8.7. Prohibited fuels. The following fuels are prohibited from use in a woodburning  
2 appliance:

- 3 1. garbage;
- 4 2. treated wood;
- 5 3. plastic products;
- 6 4. rubber products;
- 7 5. waste petroleum products;
- 8 6. paints or paint solvents;
- 9 7. coal;
- 10 8. glossy or colored paper;
- 11 9. particle board; or
- 12 10. salt water driftwood.

13 3102.8.8 Certification. Any person who plans to install a woodburning appliance must  
14 submit documentation to the Director demonstrating that the appliance is a pellet-fueled wood  
15 heater, a certified wood heater, or a fireplace certified by Northern Sonoma Air Pollution  
16 Control District.

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18 APPROVED AS TO FORM:  
19 LOUISE H. RENNE, City Attorney

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By: \_\_\_\_\_  
JUDITH A. BOYAJIAN  
Deputy City Attorney

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