

Historic Wood Smoke Model Ordinances Adopted by Bay Area Cities and Counties

The Air District's Wood-Burning Rule, Regulation 6, Rule 3 (Reg. 6-3), which was adopted by the Board of Directors in July 2008, applies to the entire Bay Area Air District, and sets baseline requirements regarding wood burning throughout the Bay Area. Prior to adoption of Reg. 6-3, some cities and counties adopted local wood smoke ordinances. Many of these local ordinances were based on the Air District's 1990's Model Wood Smoke Ordinance, which was previously developed as a guidance document for cities and counties that wished to reduce wood smoke in their communities. The 1990's model ordinance included a ban on wood burning in fireplaces when the Air District issued a *Winter Spare the Air Alert*. The ordinance also encouraged use of new, cleaner technologies that had been developed to effectively reduce wood smoke pollution. Many of the provisions listed in the table below have been superseded by Reg. 6-3. Readers should be cautioned that some of the provisions listed in the table are no longer valid. For example, the voluntary no burn provision included in some of the ordinances is not legal under Reg. 6-3. The table below is intended to provide a historic record of the ordinances and their key provisions adopted by cities and counties as of April 2, 2012. This table will be updated or replaced as new model ordinance provisions are adopted.

	City	Provisions						
1	Benicia	1						
2	Berkeley	1	2			5		
3	Campbell	1	2			5	7	
4	Clayton	1	2	3	4V	5	7	
5	Cotati	1						
6	Dublin	1	2					
7	Fairfax	1				5	6	
8	Fairfield	1	2			5	7	
9	Foster City	1		3	4V	5		
10	Fremont	1	2		4M	5	6	7
11	Hayward	1				5		
12	Livermore	1		3	4V			7
13	Los Altos	1				5		
14	Los Gatos	1	2		4M	5		
15	Martinez	1	2		4M	5	7	
16	Menlo Park	1	2			5	6	7
17	Mill Valley	1	2		4M			7
18	Milpitas	1	2	3				7
19	Monte Sereno		2			5		
20	Moraga	1				5		
21	Morgan Hill	1				5		
22	Mountain View	1	2					7
23	Oakland	1		3	4M	5		7
24	Palo Alto	1	2					
25	Petaluma	1	2			5		
26	Richmond	1	2			5	7	
27	Rohnert Park	1	2		4M	5	7	
28	San Francisco	1				5		
29	Santa Clara	1	2	3		5		
30	San Jose	1	2			5	7	

	City	Provisions						
31	San Leandro	1						
32	San Rafael		2	3			6	
33	San Pablo	1			4V	5		
34	Santa Rosa	1		3	4V	5		7
35	Saratoga	1				5		
36	Sebastopol	1	2	3	4V	5	6	7
37	South San Francisco	1	2			5		7
38	St Helena	1	2	3				
39	Sunnyvale	1		3		5		7
40	Union City	1	2		4M			7
41	Windsor	1	2	3		5		7

	County*	Provisions						
1	Alameda	1		3				
2	Contra Costa	1	2		4V	5	7	
3	Marin	1	2	3	4V	5	6	7
4	Santa Clara	1				5		7
5	San Francisco	1				5		
6	San Mateo	1		3				
7	Solano	1	2		4V	5		7
8	Sonoma	1	2					7

Key	
Newly Installed Wood-burning device must be EPA certified	1
Restrictions on Remodel Devices	2
New Masonary Fireplace Construction Prohibited	3
MANDATORY <i>Winter Spare the Air alert Burning Prohibited at the local level</i>	4M
VOLUNTARY <i>Winter Spare the Air alert Burning Prohibited at the local level</i>	4V
Illegal to burn trash and inappropriate materials in a wood-burning device	5
Non certified wood-burning devices (such as fireplaces) must be removed from existing buildings/residences during remodel, sale or other event	6
Conversion of Gas to Wood-burning fireplace is Prohibited	7

* County ordinances only apply in unincorporated areas within each county.