



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT



Quick Reference Guide to the Air District’s Model Ordinance for Wood-burning Devices

The Bay Area Air Quality Management District (Air District) has developed a new “Model” Wood Smoke Ordinance for your consideration and possible adoption by your City/County. While many cities and counties have previously adopted wood smoke ordinances, updating the ordinances may be appropriate at this time. The new model ordinance provides a menu of options to choose from. You may choose to include some or all of the options, depending on the needs of your community. You may also use variations of the options or add other options which are not included in the model.

Option	Title	Description
1	BAAQMD <i>Winter Spare the Air</i> Alert	Prohibits wood-burning when the Air District calls a <i>Winter Spare the Air</i> Alert.
2	Visible Emissions Limitation “Opacity Limits”	Prohibits excess visible emissions from a wood-burning device year-round. <i>Note: Extensive smoke school training is required for persons enforcing this standard.</i>
3	Installations – Wood-burning Devices	Prohibits installation of wood-burning devices when there is propane, natural gas and/or electric service. If allowed, requires installation only of cleaner devices.
4	Sales Prohibition of Outdoor Wood-burning Devices	Prohibits sales of outdoor wood-burning devices within the City/County boundaries.
5	Prohibition of Indoor Wood-burning Devices	Prohibits installation of indoor wood-burning devices.
6	Prohibition of Outdoor Wood-burning Devices	Prohibits installation or use of outdoor wood-burning devices.
7	Real Estate Transfer	Requires removal of inside or outdoor wood-burning devices upon Real Estate Transfer.
8	Device Maintenance Requirements	Requires periodic maintenance and inspection of wood-burning devices by a qualified hearth industry specialist and submittal of the maintenance/inspection report to City/County Building/Planning Department.
9	Registration of Wood-burning Devices	Requires registration (and fee) for wood-burning devices. The registration fee is required to implement and enforce the ordinance.
10	Removal of Non-compliant Devices Upon Remodel	Requires removal of non-compliant wood-burning devices upon a major remodel.
11	Operation of Non-Compliant Wood-burning Devices	Bans use of non-compliant wood-burning devices after specified date. Allows exemptions in cases of extreme hardship.
12	Allowable Burn Days	Provides use of lower “trigger levels” for City/County to ban wood-burning during the <i>Winter Spare the Air Season</i> (November 1 through February 28).
13	Wood-burning Ban	Prohibits all wood-burning progressive over time. Initially prohibits wood-burning during the <i>Winter Spare the Air Season</i> (November 1 through February 28). Finally, prohibits wood-burning at all times of the year. Allows exemptions in cases of extreme hardship.
14	Private Enforcement of Woodsmoke Nuisance Ordinance	Provides a private party legal cause of action including a dispute resolution process and court action for wood smoke nuisance(s). This option is based on the City of Berkeley ordinance.