



RULE 4901 PUTS LIMITS ON WOOD-BURNING DEVICES IN NEW HOMES

Anyone planning to build a new home or remodel an existing home needs to know about the Valley Air District's Rule 4901: Wood-Burning Fireplaces and Wood-Burning Heaters. This rule limits the number and type of wood-burning devices allowed in new houses and residential developments. The density requirements apply to any home under construction on or after Jan. 1, 2004, and to future remodels of these homes within the eight counties of the Valley Air District – San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings and the Valley air basin portion of Kern.

Density requirements should be applied on a per-project basis. The following table outlines the District's density requirements for some more common new construction projects:

Density Ratio of Project	2 or Fewer Homes Per Acre	More Than 2 Homes Per Acre
Open-Hearth Fireplace Allowed	Yes	No
EPA Phase II-Certified Woodburning Heater	Yes	Yes
Maximum Number of Woodburning Devices Allowed	1 Per Home	1 Per Home, But Only 2 Per Acre

Project Examples

- If the planned project is a residential subdivision map, apply the density requirements to the subdivision as a whole and designate a specified number of building lots as available for wood burning. If lots are not designated at this point, it is difficult to manage the density requirements after individual lots are sold.
- In multi-phase developments, density ratio limits apply to each phase. Wood-burning devices can be located anywhere within a given phase, as long as the final number in that phase does not exceed density limits.
- If the project is the construction of a home on an individual infill lot, apply density requirements based on the size of the individual lot and the number of wood-burning devices in adjacent residences, with the subject infill lot constituting the center of the acre for density limit determinations. For a ground-up rebuild or replacement of an existing home that includes the construction of a new foundation, density requirements for an individual infill lot should be applied.
- If the project is the remodeling of an existing home without the construction of a new foundation, the date that the home was initially constructed determines the applicability of density limits. For homes initially constructed prior to Jan. 1, 2004, the remodeling is not subject to the requirements. For homes initially constructed after Jan. 1, 2004, the remodeling is subject to the requirements. If an existing home met the density requirements at the time of construction and a wood-burning device is present prior to

The purpose of Rule 4901: Wood-Burning Fireplaces and Wood-Burning Heaters, is to reduce the public's exposure to harmful particulates from wood smoke.



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RULE 4901 FOR NEW HOMES AND REMODELING PROJECTS

the remodel, the wood-burning device may be replaced during the remodel; however, no additional wood-burning devices can be constructed. If a wood-burning device is not present in the home prior to the remodel, density requirements for an individual infill lot should be applied..

- If the project is the expansion of an existing home requiring the construction of a new foundation, it is subject to the requirements. If a wood-burning device is present in the home prior to the expansion, no additional wood-burning devices may be constructed. If a wood-burning device is not present in the home prior to the expansion, density requirements for an individual infill lot should be applied. For the expansion of an existing home that does not require a new foundation, follow the requirements for a remodeling project.
- If the project is the construction of an unattached guesthouse, or any other structure designed or intended as a permanent or temporary living area, it is subject to density requirements for an individual infill lot. For a remodel or expansion, apply the requirements for the remodel or expansion of an existing home.
- If the unattached structure is a garage or workshop, it is subject to density requirements only if the structure, or part of the structure, is designed or intended as a permanent or temporary living area. In that case, apply the requirements for an individual infill lot. For a remodel or expansion, apply the requirements for the remodel or expansion of an existing home.

Wood Burning Creates Air Pollution

Residential wood burning is the source of up to one-third of the air basin's dangerous particulate emissions during winter. Particulate matter (PM) has been associated with serious health problems including bronchitis, lung infections, coronary attacks and even lung cancer.

For more information, contact the nearest District office or visit www.valleyair.org.

Northern Region

Serving San Joaquin, Stanislaus and Merced counties

4800 Enterprise Way, Modesto, CA 95356-9322

Tel: 209-557-6400 FAX: 209-557-6475

Central Region (Main Office)

Serving Madera, Fresno and Kings counties

1990 E. Gettysburg Avenue, Fresno, CA 93726-0244

Tel: 559-230-6000 FAX: 559-230-6061

Southern Region

Serving Tulare and Valley air basin portions of Kern counties

34946 Flyover Court, Bakersfield, CA 93308-9725

Tel: 661-392-5500 FAX: 661-392-5585



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

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