

State Colorado

State Agency Department of Public Health and Environment

Affected Area Denver Metropolitan Area

Regulation Local Woodburning Ordinances

Rule Number Thornton - Ordinance 2194

Rule Title .

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Comments

Rule:



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C.D. No. 92-145

ORDINANCE NO.: 2194
INTRODUCED BY: Votruba

AN ORDINANCE AMENDING CHAPTER 44, SECTION 44-32 OF THE THORNTON MUNICIPAL CODE BY THE ADDITION OF NEW SUBSECTIONS I AND J, AND FURTHER AMENDING SECTION 44-36 BY THE ADDITION OF NEW SUBSECTIONS B AND C, PERTAINING TO CERTIFIED PHASE II SOLID FUEL BURNING DEVICE RESTRICTIONS FOR NEW CONSTRUCTION.

WHEREAS, the State of Colorado passed into law legislation that restricts the installation of conventional fireplaces in new or remodeled construction, and allow instead, installation of gas, pellet, electric or clean burning Phase III fire place inserts; and

WHEREAS, cities and counties in the Denver metro area are required, by January 1, 1993, to adopt conforming building code provisions that are substantially equivalent to the provisions of the new state laws; and

WHEREAS, it is the desire of the City Council to enhance the quality of life of the citizens of Thornton.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. Section 44-32 of the Municipal Code is hereby amended by the addition of new Subsections I and J with words set forth in capital letters, to read as follows:

Section 44-32. The Uniform Building Code, 1988 Edition, adopted in the preceding section, is hereby amended as follows: (Section numbers refer to section numbers of the Uniform Building Code):

* * *

- I. § 3705.(a) is amended to read as follows:

Section 3705.(a) General. Factory-built chimneys and factory-built fireplaces shall be listed and shall be installed in accordance with the terms of their listings and the manufacturer's instructions as specified in the Mechanical Code. EVERY NEW OR REMODELED SOLID FUEL BURNING FACTORY BUILT FIREPLACE SHALL HAVE PERMANENTLY INSTALLED EITHER: (1) CERTIFIED NATURAL GAS LOGS OR FIREPLACE INSERTS; (2) A CERTIFIED ELECTRICAL DEVICE; (3) A CERTIFIED PHASE III FIREPLACE INSERT; OR (4)

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CERTIFIED PELLET STOVES OR INSERTS MEETING THE MOST STRINGENT EMISSION STANDARDS FOR WOOD STOVES ESTABLISHED UNDER STATE STATUTE AND/OR REGULATIONS PROMULGATED BY THE STATE AIR QUALITY CONTROL COMMISSION (AQCC) AS OF THE TIME OF INSTALLATION AND BE INSTALLED PER THE UNIFORM MECHANICAL CODE.

J. § 3707.(a) is amended to read as follows:

Section 3707.(a) General. Masonry fireplaces, barbecues, smoke chambers and fireplace chimneys shall be of masonry or reinforced concrete and shall conform to the requirements of this section. EVERY NEW OR REMODELED MASONRY FIREPLACE SHALL HAVE PERMANENTLY INSTALLED EITHER: (1) CERTIFIED NATURAL GAS LOGS OR FIREPLACE INSERTS; (2) A CERTIFIED ELECTRICAL DEVICE; (3) A CERTIFIED PHASE III FIREPLACE INSERT; OR (4) CERTIFIED PELLET STOVES OR INSERTS MEETING THE MOST STRINGENT EMISSION STANDARDS FOR WOOD STOVES ESTABLISHED UNDER STATE STATUTE AND/OR REGULATIONS PROMULGATED BY THE STATE AIR QUALITY CONTROL COMMISSION (AQCC) AS OF THE TIME OF INSTALLATION AND BE INSTALLED PER THE UNIFORM MECHANICAL CODE.

2. Section 44-36 of the Thornton Municipal Code is hereby amended by the addition of new subsections B and C with words set forth in capital letters, to read as follows:

Section 44-36. The Uniform Mechanical Code, 1988 Edition, adopted in the preceding section, is hereby amended as follows (section numbers refer to section numbers of the Uniform Mechanical Code):

* * *

B. § 802 is amended to read as follows:

Sec. 802. Every vented decorative appliance, floor furnace, vented wall furnace, unit heater and room heater shall be of a type listed for vented use and shall be connected to a vent complying with Chapter 9, except as provided for in Section 807.

Every vented decorative appliance, floor furnace, vented wall furnace, unit heater and room heater shall be provided with combustion air complying with Chapter 6.

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A vented decorative appliance, floor furnace, vented wall furnace, unit heater or room heater shall not be located in any of the following places:

1. In any surgical operating room.
2. In any hazardous location.
3. In any Group H, Division 1, 2 or 3 Occupancy.
4. In any room or space where an open flame is prohibited.
5. In Group H, Division 4 Occupancies, devices generating a spark or glow capable of igniting gasoline vapors shall not be installed or used within 18 inches of the floor.
6. In any Group H, Division 5 Occupancy, and Group B, Division 3 Occupancy, unless the appliance is located at least 8 feet above the floor.

Overhead heaters installed in aircraft storage or servicing areas of Group B, Division 3 Occupancies shall be at least 10 feet above the upper surface of wings or engine enclosures of the tallest aircraft which may be housed in the hangar. Overhead heaters shall be at least 8 feet above the floor of shops, offices and other sections of hangars communicating with aircraft storage or working areas.

Vented decorative appliances, floor furnaces, vented wall furnaces, unit heaters and room heaters shall be installed so as to minimize the probability of damage from an external source.

EVERY NEW INSTALLATION OF A SOLID-BURNING VENTED DECORATIVE APPLIANCE OR ROOM HEATER SHALL MEET THE MOST STRINGENT EMISSION STANDARDS FOR WOOD STOVES ESTABLISHED UNDER STATE STATUTE AND/OR REGULATIONS PROMULGATED BY THE STATE AIR QUALITY CONTROL COMMISSION AS OF THE TIME OF INSTALLATION OF THE APPLIANCE OR ROOM HEATER.

C. § 803 is amended to read as follows:

Sec. 803. In addition to the general requirements specified in Section 802, every vented decorative appliance shall comply with the

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requirements specified for heating equipment and heating appliances of this code.

Approved gas logs may be installed only in solid-fuel-burning fireplaces, provided:

1. The gas log is installed only in accordance with the manufacturer's instructions.
2. If the fireplace is equipped with a damper, it shall be permanently blocked open to a sufficient amount to prevent spillage of combustion products into the room.
3. The minimum flue passageway shall be not less than 1 square inch per 2000 Btu/h input.
4. Gas logs when equipped with a pilot shall have a listed safety shutoff valve.
5. APPROVED NATURAL GAS LOGS SHALL BE INSTALLED IN NEW SOLID FUEL BURNING FIREPLACES WHEN REQUIRED BY SECTIONS 3705.(A) AND 3707.(A) OF THE UNIFORM BUILDING CODE, AS AMENDED.

INTRODUCED, READ, PASSED on first reading, ordered posted in full and title ordered published by the City Council of the City of Thornton, Colorado, this 14th day of September, 1992.

PASSED AND ADOPTED on second and final reading this 28th day of September, 1992.

CITY OF THORNTON, COLORADO

Margaret W. Carpenter
Margaret W. Carpenter, Mayor

ATTEST:

Nancy A. Vincent
Nancy A. Vincent, City Clerk

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THIS ORDINANCE IS ON FILE IN THE CITY CLERK'S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:


Kevin Maggio, City Attorney

PUBLICATION:

Posted in six (6) public places after first and second readings.

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