



**CITY OF SAN JOSÉ, CALIFORNIA**  
**Building Division Policy**

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**Policy on Wood Burning Appliances**

Policy No.  
Effective

UBC 31-3-97  
July 21, 2000

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**Background**

The State Air Resources Board adopted a particulate matter ambient air quality standard in December, 1982. This standard is intended to protect the health of people who are sensitive to exposure to fine particles in the air. Certain types of wood burning appliances are large contributors of fine particles causing severe air pollution. In an attempt to improve air quality, the City of San Jose on June 6, 2000 adopted Ordinance #26133 which prohibits the installation of appliances that do not comply with Environmental Protection Agency (EPA) established requirements.

**Application**

- Any permit application filed after July 20, 2000 must comply with Ordinance #26133 and this policy. Ongoing projects (tract developments), that were filed prior to July 21, 2000, will be exempt as long as the plan check application is maintained active as per Adopting Ordinance of the Uniform Building Codes, however, all ongoing projects (tracts) must comply with this ordinance after July 20, 2001.
- All wood burning appliances that are reconstructed must comply.
- Any repair to a wood burning appliance that cost more than \$1565 must comply.
- Any remodel or renovation that cost more than \$1565 and comes within twelve inches of a wood burning appliance must comply. This twelve-inch dimension is measured on the plane of the wall where the appliance is located; walls at right angles to the appliance are exempt.
- The cost threshold \$1,565 will be adjusted annually on July 1<sup>st</sup>.

**Acceptable Appliances**

- Pellet-fueled wood heater
- Any EPA certified wood heater
- Listed gas appliances installed in masonry fireplaces

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