ORDINANCE 1905

ORDINANCE OF THE TOWN OF LOS GATOS
ADDING ARTICLE III TO CHAPTER 13 OF THE TOWN CODE TO
REGULATE THE USE OF WOOD BURNING APPLIANCES

The Town Council of the Town of Los Gatos does hereby ordain:

SECTION I

Section 13.30.010 is added to read as follows:

Section 13.30.010. Restrictions on wood burning appliances.

It shall be unlawful to:

(a) Use fireplaces and other wood burning appliances when the Bay Area Air Quality Management District issues the "Don't Light Tonight" warning and when an alternate approved heat source is available.

(b) Sell, advertise, transfer, install or replace a wood burning appliance that does not meet minimum EPA Phase II Certified Standards or equivalent.

(c) The following appliances are exempt from this Section:

(1) Wood burning appliances that are designed primarily for food preparation.

(2) Environmental Protection Agency (EPA) - Phase II certified appliances and approved equals.

(3) Historic wood burning appliances as determined by the Building Official and the Planning Director.

(4) Appliances of unusual character as determined by the Building Official.

SECTION II

Section 13.30.020 is added to read as follows:

Section 13.30.020. Fuel for wood burning appliances.

It shall be unlawful to burn garbage, plastics, rubber, waste solvent, paint, oil, painted or treated wood, particle board, plywood, salt-water driftwood, coal, glossy or colored paper,

and any other fuel which produces noxious, corrosive or toxic smoke and fumes in wood burning appliances.

SECTION III

This Ordinance takes effect 180 days after the date it is adopted. Within 15 days after this ordinance is adopted, the Town Clerk shall cause it to be published once in a newspaper of general circulation published and circulated in the Town, Los Gatos, California.

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on May 18, 1992, and adopted by the following vote as an Ordinance of the Town of Los Gatos at a regular meeting of the Town Council on June 1, 1992.

COUNCIL MEMBERS:

AYES:	**Randy Attaway, Steven Blanton, Brent N. Ventura, Mayor Eric D. Carlson**
NAYS:	**None**
ABSENT:	**Joanne Benjamin**
ABSTAIN:	**None**

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA