



Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360 FAX: (970) 641-8585
Website: www.gunnisoncounty.org/planning.html
Email: planning@gunnisoncounty.org

Information Sheet: SOLID FUEL BURNING DEVICES

The following sections of the *Gunnison County Land Use Resolution* regulates what kind of woodstoves and similar devices can be installed in homes, accessory buildings and commercial uses in Gunnison County. Gunnison County requires that you complete a registration form with the Planning Department when you want to install a woodstove, other solid-fuel-burning device or gas appliance. The Fire Marshall and the Gunnison County Building Inspector will conduct a required inspection.

SECTION 2-102: DEFINITIONS.

- **SOLID-FUEL-BURNING DEVICE** means a device designed for the combustion of solid fuels including, but not limited to, wood, coal, pulp, paper, pellets or similar non-liquid or non-gaseous materials so that usable heat is derived for the interior of a building, and includes solid-fuel-burning stoves, fireplaces or wood stoves of any nature, combination fuel furnaces or heaters that burn solid fuel, or any other device used for the burning of solid combustible material.
- **APPROVED NON-SOLID FUEL BURNING DEVICE** means a device that burns a non-solid fuel including natural gas, liquefied petroleum (LP), fuel oil, or similar fuel that has been approved by Underwriter's Laboratory, International Approval Services (IAS) or other approved laboratories. This includes gas logs permanently installed in a traditional open fireplace.
- **APPROVED SOLID FUEL BURNING DEVICE** means a device that is designed or intended to burn solid fuel and that is certified to meet the E.P.A. Phase II particulate emissions rate standard by the U.S. Environmental Protection Agency, or is certified to meet those standards by a testing laboratory accredited by the E.P.A., or is approved by the Colorado Air Quality Control Commission.

SECTION 13-107: INSTALLATION OF SOLID-FUEL-BURNING DEVICES

- A. PURPOSE.** The purpose of this Section is to minimize air pollution caused by solid-fuel-burning devices emissions by regulating their use, and to encourage the use of other heating alternatives that achieve better emission performance and heating efficiency and that comply with the emissions performance standards as adopted by the Colorado Department of Public Health and Environment Air Quality Control Commission. It is further the policy of the Board to encourage the replacement of non-approved devices with cleaner sources of heat.
- B. APPLICABILITY.**
1. **NEW STRUCTURES REQUIRING BUILDING PERMITS.** Any structure for which a Building Permit is requested or required after the effective date of this *Resolution* shall be required to comply with this Section. When a new portion of a structure requires a Building Permit, and a solid-fuel-burning device is to be located in that new portion, that solid-fuel-burning device shall comply with this Section.
 2. **NEW STRUCTURES THAT DO NOT REQUIRE BUILDING PERMITS.** Any new structure for which no Building Permit is required, as defined by this *Resolution*, by the applicable building code, adopted and amended by Gunnison County, or by any other code or regulation adopted by Gunnison County, shall be required to comply with this Section.
 3. **EXISTING DEVICES IN EXISTING STRUCTURES.** Any solid-fuel-burning device, including coal-fired furnaces, existing in an existing structure as of the effective date of this *Resolution* is not required to be replaced, except that any non-approved solid-fuel-burning device, when replaced or relocated, shall comply with Section 13-107: H: *Replacement or Modification of Solid Fuel- Burning Devices*.

- C. COMPLIANCE WITH STANDARDS IN AREAS AROUND TOWNS OF CRESTED BUTTE, MT. CRESTED BUTTE AND CITY OF GUNNISON.** When the proposed project is located within the boundaries of a municipal three mile plan area defined within a Three-Mile Plan of the Towns of Crested Butte, Mt. Crested Butte or the City of Gunnison, the following standards shall apply in addition to the general standards of this Section, whether or not the County has adopted the Three-Mile Plan. When the area of an existing or proposed development overlaps the mapped three-mile area within the Three-Mile Plan, the entire development shall comply with these standards.
- 1. IN A SINGLE FAMILY RESIDENCE.** Any single-family residential structure, including detached condominiums and townhouses not in multiple-family buildings, and manufactured/mobile homes for which a Building or Manufactured Home Permit is issued after the effective date of this *Resolution* shall be allowed to install one fireplace, and one approved solid-fuel-burning device, or two approved solid-fuel-burning devices per single family residence. Except, an integrated secondary residence does not qualify for devices in addition to those identified above for the primary residence; a duplex does not qualify for devices in addition to those identified above for a single-family residence.
 - 2. IN MULTIPLE-FAMILY RESIDENCES, HOTELS, COMMERCIAL AND INDUSTRIAL BUILDINGS.** No solid-fuel-burning device shall be allowed in individual units of multiple-family buildings, hotel/motel units, commercial or industrial buildings, except that one fireplace and one solid-fuel-burning device, or two approved solid-fuel-burning devices may be installed per building in the building's common public area, per the first 50,000 sq. ft., and an additional fireplace and one approved solid-fuel-burning device, or two approved solid-fuel-burning devices per any square footage above 50,000 sq. ft.
- D. MAXIMUM NUMBER OF DEVICES ALLOWED OUTSIDE MUNICIPAL THREE MILE PLAN AREAS.** When the project is located outside the boundaries of a municipal three mile plan area defined within a Three-Mile Plan of the Towns of Crested Butte, Mt. Crested Butte or the City of Gunnison, the number of fireplaces and devices is limited to the following:
- 1. IN A SINGLE FAMILY RESIDENCE.** Any single family residential structure, including detached condominiums and townhouses not in multiple-family buildings, and manufactured/mobile homes for which a Building or Manufactured Home Permit is issued after the effective date of this *Resolution* shall be allowed to install two fireplaces, or two approved solid-fuel-burning devices, or one fireplace and one approved solid-fuel-burning device. Except, an integrated secondary residence does not qualify for devices in addition to those identified above for the primary residence; a duplex does not qualify for devices in addition to those identified above for a single-family residence.
 - 2. IN MULTIPLE-FAMILY RESIDENCES, HOTELS, COMMERCIAL AND INDUSTRIAL BUILDINGS.** No solid-fuel-burning device shall be allowed in individual units of multiple-family buildings, hotel/motel units, commercial or industrial buildings, except that one fireplace and one approved solid-fuel-burning device, or two approved solid-fuel-burning devices may be installed per building in the building's common public area, per the first 50,000 sq. ft., and an additional fireplace and one approved solid-fuel-burning device, or two approved solid-fuel-burning devices per any square footage above 50,000 sq. ft.
- E. ADDITIONAL FEE FOR A FIREPLACE.** The County shall charge a fee specifically for the installation of a fireplace, separate from a Building Permit or Land Use Change Permit fee. The amount of the fee shall be included in a schedule of fees adopted by the Board, available in the Planning Department, and the County shall hold the fees, for the purpose of subsidizing the retrofitting and/or replacement of existing non-approved solid-fuel-burning devices and/or monitoring of air quality.
- F. NO NEW COAL-BURNING DEVICES.** No new coal-burning devices shall be allowed to be installed after the effective date of this *Resolution*.
- G. NO ADDITIONAL DEVICES.** In existing structures that have two or more solid-fuel-burning devices as of the effective date of this *Resolution*, an additional one shall not be installed.
- H. ACCESSORY STRUCTURES.** One solid-fuel-burning device (whether compliant or non-compliant) is allowed per non-residential structure that is accessory to a residence, for temporary or sporadic use, whether the structure is attached or detached.
- I. NO LIMIT TO NUMBER OF NON-SOLID-FUEL-BURNING DEVICES.** There is no limitation on the number of approved non-solid-fuel-burning devices that may be installed in any structure, so long as they all comply with all applicable federal, state and County codes and regulations.
- J. INSTALLATION.** Devices shall be installed as follows:
- 1. SOLID-FUEL-BURNING DEVICE.** Any solid-fuel-burning device shall be installed pursuant to the standards and specifications defined by the manufacturer of that device, or shall meet the clearances specified in the *Uniform Mechanical Code*.

- 2. NON-SOLID-FUEL-BURNING DEVICE.** Any non-solid-fuel-burning device shall be installed pursuant to the standards and specifications of its manufacturer and the *Uniform Mechanical Code*.
- K. INSPECTION.** The installation of any solid-fuel-burning device or non-solid-fuel-burning device shall be subject to inspection and approval by the Gunnison County Building Inspector and, as applicable, by the applicable fire protection district in which the device is located. Only the affected unit will be inspected.
- L. FEES.** Inspection fees shall be as delineated in a schedule of fees charged for permits issued by the Planning Department, adopted and amended from time to time by the Board of Commissioners.
- M. SPARK ARRESTORS.** Spark arrestors shall be required in all solid-fuel-burning device systems to which this Section applies pursuant to Section 13-107: B.1.: *New Structures Requiring Building Permits*, Section 13-107: B. 2.: *New Structures That Do Not Require Building Permits*, and Section 13-107: B. 3.: *Existing Devices in Existing Structures*.