

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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## CHAPTER 231

H.P. 521 - L.D. 646

### AN ACT to Promote Safe Solid Fuel Burning Practices.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2465, sub-§5-A is enacted to read:

5-A. Safety information. No new factory-built fireplace, fireplace stove or solid fuel burning room heater may be sold in retail trade, unless the seller provides the buyer, on or before the sale, with an installation instruction manual or, in the case where such a manual is not available, with a publication of the Office of Energy Resources containing recommended clearances the same as those prescribed in the National Fire Protection Association Code #211, The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances, as approved by the office of the State Fire Marshal.

Sec. 2. 25 MRSA §2465, sub-§6, as enacted by PL 1982, c. 622, is amended to read:

6. Penalty. Any person who, for compensation, constructs or installs chimneys, fireplaces, vents or solid fuel burning appliances in violation of the standards, and permits such violation to remain uncorrected after 30 days' notice from any official empowered to enforce this section, shall be considered guilty of a civil violation and shall be subject to a forfeiture of not more than \$500 for each violation. The court may waive any penalty or cost against any violator upon satisfactory proof that the violation was corrected within 30 days of the issuance of a complaint.

Any person who fails to provide a purchaser with an instruction manual or the authorized publication of the Office of Energy Resources, as described in subsection 5-A, commits a civil violation for which a forfeiture of not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$800 for each subsequent offense shall be adjudged. In addition to the civil penalty provided in this subsection, any violation of this chapter constitutes a violation of Title 5, chapter 10.