

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 2101**

H. P. 2037

House of Representatives, January 24, 1978

Filed by the Joint Standing Committee on Energy under Joint Rule 17.

EDWIN H. PERT, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

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**AN ACT to Provide Municipalities with the Authority to Establish Standards for  
the Installation of Wood Stoves.**

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

30 MRSA c. 215, sub-c. XI is enacted to read:

**SUBCHAPTER XI**

**INSTALLATION OF WOOD STOVES**

**§ 3231. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. Wood stove. "Wood stove" means any stove designed exclusively to burn wood for purposes of heat or cooking but shall not include wood stoves designed as furnaces attached to a central heating system.

2. Wood stove installation. "Wood stove installation" means the installation or alteration of wood stoves as defined in subsection 1.

**§ 3232. Standards of installation and inspection**

1. Municipal standards. Municipalities by ordinance or in the alteration section

of the municipal building code may prescribe standards for the installation of stoves designed exclusively to burn wood. Installation standards may include the proper methods for the connection of wood stoves to chimney flues, the types of accessory materials that are necessary for the proper and safe operation of a wood stove and any other standards that municipal officials deem necessary.

A. The municipality may require persons or firms which purchase and install wood stoves to obtain a municipal permit prior to the installation of wood stoves. The permits may require municipal inspection of installations.

2. Inspection of installation. Municipalities may designate one or more municipal officials or employers to inspect the installation of stoves designed exclusively for the burning of wood. Municipal wood stove inspectors, upon written request of an owner of a wood stove or upon written complaint of an owner, lessee or tenant of a building, may enter into and upon all buildings or premises to inspect the installation of wood stoves. The inspectors may enter any building only with the permission of the person having control thereof or, after hearing, upon order of the court. Whenever any municipal wood stove inspector finds any wood stove installation in any building or structure which does not comply with the requirements of the municipality, he shall order the wood stove to be remedied or removed and the installer, or owner, or occupant of the building shall expeditiously comply with the order. The installer, owner or occupant may appeal the decision of a municipal inspector to the District Court.

3. Failure to comply with order of inspector. Municipalities may by ordinance or in the alteration section of the municipal building code provide a penalty provision for the unjustified refusal or neglect of an installer, owner or occupant of a building to comply with any order of a wood stove inspector as provided by this subchapter.

### STATEMENT OF FACT

Since simple wood stoves and the installation of wood stoves are much less complicated than oil fired furnaces and other types of furnace equipment and since several municipalities are presently inspecting wood stove installations, Maine's municipalities should be encouraged and provided with the opportunity to inspect wood stove installation.

In general, wood stoves per se do not pose hazards to the public safety. Improper installation of wood stoves and the improper use of wood stoves are responsible for nearly all fires involving wood stoves.

This bill will permit Maine's municipalities to play an active role in the inspection of wood stoves and the enforcement of fire safety laws.