

Seller and the undersigned owner understand that the City of Medford's wood stove/fireplace insert ordinance requires non-certified wood stoves or fireplace inserts to be removed from the subject structures upon sale; and that the seller shall have the responsibility for the removal of the wood stoves or fireplace inserts, unless the seller and the undersigned owner agree, in writing, that the undersigned owner shall assume the responsibility to remove the woodstove(s) or fireplace insert(s) pursuant to the local ordinance.

The seller and the undersigned owner also understand, this certificate must be completed and signed by both parties, delivered to the City of Medford on or before the closing of any related real estate transaction. Further, all obligations stated herein, survive the close of escrow or transfer of title.

Undersigned Owner

Seller

Property Address

Dated: _____

Detach & Return

The City of Medford finds that it is necessary, for the protection of the health, safety and welfare of the city's residents, to require that non-certified wood stoves and fireplace inserts be removed when structures situated on real property containing them are sold or transferred.

The City of Medford has many ordinances that assist in keeping our city safe and beautiful. This brochure has been designed to provide details of this particular code issue that affects neighborhoods and liability.



City of Medford
411 W 8th Street
Medford, OR 97501
541-774-2016
www.ci.medford.or.us

Continuous Improvement~Customer Service

City of Medford

Removal of Non-Certified Woodstoves & Fireplace Inserts



774-2016

When used in this section, non-certified wood stove or fireplace insert will have the following meaning:

“A residential space heating device that has not been certified by either the State of Oregon Department of Environmental Quality or Federal Environmental Protection Agency as complying with smoke emission standards.” Non-certified or wood stove or fireplace insert does not include devices exempt from certification requirements, such as:

- (1) Pellet stoves (a wood burning heating appliance which uses wood pellets as its primary source of fuel);
- (2) Cook stoves (an indoor wood burning appliance, the design and primary purpose of which is to cook food);
- (3) Antique wood stoves (a wood stove built before 1940 that has an ornate construction and a current market value substantially higher than a common wood stove manufactured in the same time period);
- (4) Fireplaces.

The sale of structure, for purposes of this section, is defined as any transaction whereby the ownership of a structure, or the real property upon which a structure is located, is conveyed by a purchase agreement, inheritance or a transfer of title, for real property.

Responsibility & timeline for removal:
Unless otherwise agreed, responsibility for removal of non-certified wood stoves or fireplace inserts shall be that of the seller of the structure(s) which contain the non-certified wood stove(s) or fireplace insert(s), and must be completed, upon sale or transfer of a structure, on or before closing or title transfer of any real estate. If the buyer assumes responsibility of removal, this shall be completed within 30 days of recordation of title.

The presence of all wood stoves or fireplace inserts in a structure shall be included as a part of the Seller’s property disclosure presented to the new owner, as part of the sale or transfer of any real property. The disclosure shall evidence by certificate whether any wood stoves or fireplace inserts are of a conforming use, and present in the subject property.

Detach & Return

Wood Stove/Fireplace Insert Disclosure Certificate

Address of property containing wood stove or fireplace insert:

Wood stoves/inserts are generally described as:

1. _____
2. _____
3. _____

Wood stoves/inserts are:

- | | Certified | Non-certified |
|----|-----------|---------------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Responsibility for removal:

- | | |
|-------|-------------------|
| _____ | Seller |
| _____ | Buyer/Undersigned |

The penalty for not removing non-certified wood stoves or fireplace inserts, or providing a disclosure certificate, is a fine not exceeding \$250.

- see reverse-