

MR. Mayor

We do not live in the cave days so there is no need to heat with such a hazard of wood burning
Think of our lives, and our environment.
what are we doing to our children, should this not be more of a reason to BAN ALL WOOD APPLIANCES
and to get projects going for cleaner air such as
wind, solar, and geothermal.

Clearly you do not understand what we are going through with neighbours who heat their homes with their wood stoves
your bylaw is not enough for us Mr. Mayor we are dying due to wood smoke at this current time...why are our lives, and the environment not more important then wood burning, how can you turn your back on us, why do we not have a right to breath **clean smoke free air** normally...what gives the burners the right to bully us, and the environment to an early death.
There are over 2 million people who die each year world wide due to wood smoke, and I know of over 800 hundred people
on the Inland of Montreal, and off Inland that are being effected of this horrible hazard of wood burning.

Also by not protecting downwind victims of wood burning you are knowingly allowing grievous harm to innocents, you are knowingly sentencing innocents to illness, suffering, shortened lives and in some cases, sudden death. We are asking for a ban to protect all of the public. At the very least you must act to protect all wood smoke victims with immediate relief,

How can we accept your by law when the public, and environment remains in danger...we do not have time to waste.
For the safety of our lives, and the environment there has to be a BAN ON ALL WOOD APPLIANCES NOW!

Also, The burners who have wood stoves currently will not part with their wood stoves, and
matters will get worst with the emission of these ageing stoves.

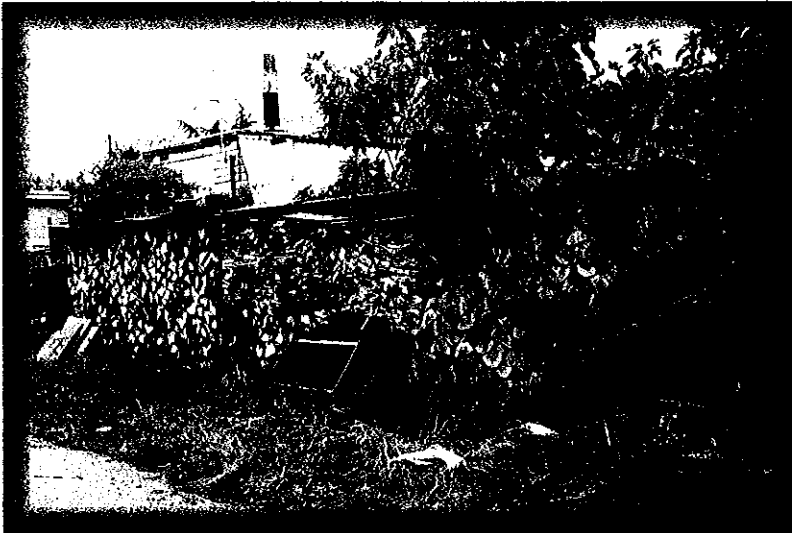
I don't understand WHY nor HOW this bylaw will be of help to us, the public, and the environment.

Also I have letters from victims of wood smoke, (will read a couple of the letters), and hand over the others to Mayor.

(We have up to 8 min. each to talk at the meeting)

1) What will happen to the ageing stoves if this bylaw passes?

2) Why do you wish us to continue suffering, does the money from the fines have anything do with this?



Anonymous story - Burnaby BC resident

(above is the wood pile they are exposed to wood pile)

We are concerned about the wood smoke we are subjected to by our neighbour burning wood and construction scraps.

Our neighbour heats his house entirely with a wood furnace, and he has a detached shed which he heats with a wood stove.

We have a heat recovery ventilation system (HRV) in our house to provide fresh air.

All year round, but especially in the winter months, our HRV sucks in "fresh" air, and our house reeks of smoke. In an attempt to eliminate this, we spent \$905.79 in September, 2003 to add a fabric filter, and a charcoal filter to eliminate this problem, It did not work. We still are subjected to the smoke smell. For a time, we turned off the HRV, but the smell still enters the house.

We have had to live with this for 14 years, and only now have become aware that this smoke smell is not just a nuisance, but is poisonous pollution.

We are loath to cause a problem for a neighbour, so we would like to remain anonymous. However, we would like to see a strong anti-burning bylaw enacted. It should have some teeth in it, so that it would be enforceable and effective. We need to eliminate this source of pollution in the air we all breathe.

Burnaby resident

Our Story:

My family and I moved from the city of Montreal to N.D DE L'ILE PERROT QUEBEC, in 1998 and since then my health had declined, and I could not understand why...

I was sent to the emergency room by ambulance a couple of times between 1998 and 2002, not including other times when Guy (my husband) drove me in.

Today, I believe that I was given the wrong diagnoses by the doctors...

In 2002 still sick, and tired of being sick, I came to the point that I quit smoking. My health is still not good.

In 2004 we decided to stop using our wood stove and thought we would have a smoke free home, and that now our health would improve.

But, still we were getting headaches, coughing, dizzy spells, nausea, and still having problems with our breathing, unaware of the cause of our health problems.

As time went by we noticed the smell of smoke in our home that was not of our own doing...that's when I realized the truth...I was smoking tobacco, our own wood smoke and our neighbours woodsmoke all at the same time! It's amazing I am still alive...

Our neighbor's wood smoke came into our home to invade our privacy, and health. We slept breathing the toxic air caused by our neighbours wood burning, and having the smoke enter our home unaware of the hazard.

If we did not stop burning in our own home, we may never have noticed that our neighbours smoke was invading our home. Even with our doors, windows closed, the smoke still enters our home because we can smell it. We can't even use our land without breathing wood smoke.

There is one of our windows that is at the same level of our next door neighbour's chimney, about 17 feet from our home. Our neighbors heat with their wood stove all winter long 24/7, leaving us no fresh air for months on end.

They use their wood stove starting early in September until the middle of June, even though it could be 20 degrees outside on a clear and sunny day. It's a living nightmare for my family and myself.

I did not quit smoking tobacco so that I and my family could smoke my neighbours wood smoke! Which, by the way, is a lot worse than smoking tobacco!

Our neighbours can burn wood any time they wish, forcing us in harm's way. WE NEVER KNOW WHEN WE ARE SAFE!

As a woman, going through the change, it is important for me to have the windows open. But, because there are no bylaws, these neighbors could burn any time, only for more added suffering to continue.

We are now trying to move from this so-called home, but do not have enough money to do so...

We have put up plastic onto our windows and have an air purifier running to try and help us protect ourselves better. But, when our neighbor's are smoking, not even the plastic on the windows nor the air purifier can keep out the smoke and the smell from our neighbours wood burning.

We also have two small Chihuahuas. One is 4 lbs. and the other is 5 lbs. For the short time in

winter they go outside to do their thing, (not even a minute are they outside), when they come back in they reek of smoke... I give my dogs a bath once a week so they do not smell like smoke!

I am sick of burners (Bullies, Hill Billies) not caring for others but only thinking of themselves and their money, etc.

Some will go as far as breaking the law (going into the forest and cutting down trees to get free fire wood) knowing they will get away with it...

I had gone looking for help, and went to our City Hall and spoke to Valerie Thibault, also to the Fire Department and spoke to John M.Boudreau.

I also spoke to Benoit Leclair (service de securite incendie), and went many times to speak to our Mayor Serge Roy. After showing the evidence, I had collected to the mayor, he told me there was nothing that they could do for me nor my family, and passed me off for a nut!

But they all did help my neighbors become better sneaks...now, every time my neighbor's chimney starts showing leak marks, our neighbor will climb up on his roof and clean the leak marks off, while his wood stove is still on, and the cover of his chimney is off. I had reported this matter to Benoit Leclair (service de securite incendie) and his reply was "It's okay to clean the chimney while it's in use".

It is a given right to breathe clean fresh air, and no one should be forced into harm's way.

Wood smoke is a hazard!

WE NEED TO ALL BE SAFE!

BAN WOOD BURNING!

Giulia D'Alesio

Member of;Clean Air Revival, ALAP

Bruce and Neva's Story - North Surrey

I bought my house seven years ago in North Surrey. I have more pets than the average person. I wanted a house with a big backyard for the safety of my dogs and cats. Unbeknownst to me at the time, I bought a house beside an older couple who are extremely environmentally challenged. They use pesticides and weed and feed and hate my big trees. They also have two wood burning fireplaces in their garden sheds where you can find them polluting our air at any given time! I have a big covered back deck which I can't even use because of the stench they are causing to our shared air space! I don't know if you are familiar with any breeds of dog, but I have a Bouvier de Flanders. She is about a hundred pounds and has a long coat that demands hours of my time every week to maintain. Whenever my Stella goes outside even for a minute she comes back in smelling like a bar-b-qued wiener. I'm a vegetarian so this insults me even further! I am worried about my family's health due to our neighbors obsession with burning wood! We need new laws to protect our health from air borne toxins! I am so careful about what I feed my family and how we live our lives. Yet my neighbor can sabotage everything I do in one fell swoop. Things need to change.

Neva

I would like to take a moment of your time to share our experience with the problem of wood smoke from our neighbor's chimney.

One day last year we noticed smoke all around our house with the smell of smoke getting into our home it was like being directly in front of a chimney.

I wrote to the building inspector to see if the neighbor's chimney met the building code. The building inspector left a note on my neighbors door which stated 'woodstove violation chimney height'.

My neighbor came banging on my door asking how I could 'turn him in'. I explained the problem we were having and how the smoke was even getting into our home and his response was that we should 'get new windows'. He later added 2 ft to the chimney to bring it up to code.

However, we continued to experience problems from the chimney exhaust so I asked my neighbor if he would add another 6 ft to this chimney and I would pay for it. He agreed to do this.

As I tried to deal with my neighbor and his smoke - the next thing I knew there was a police officer at my door telling me I could not tell my neighbor how to use his stove. The police officer told me harassment was against the law and if I talked to my neighbor again about the stove I would be arrested.

We continue to experience problems from being in contact with and breathing the exhaust from the chimney. This results in physical symptoms such as causing eyes to burn, congestion, and chest discomfort. The congestion and chest discomfort lasts for several days. I am also concerned about the long term health consequences of being exposed to this smoke.

Those of us with existing health problems are more susceptible to the effects of woodsmoke exposure, but the exhaust from this chimney is so strong no one would be able to tolerate this. I have coronary artery disease and my wife has Multiple Sclerosis.

We follow strict guidelines to try to maintain our health and then are exposed to the toxic elements of woodsmoke which adds to our health problems..

I believe the time for laws governing wood smoke emissions is long overdue. There are many people who are adversely affected by wood smoke. There is a great deal of evidence about the health risks of woodsmoke and we need laws to help people whose health is put in jeopardy because of being exposed to this woodsmoke pollution.

I have done what I can to try to keep the smoke out of the house such as putting plastic over the door going into the garage, sealing windows etc. but of course when we open the front door the smoke comes right into the house. My wife and I have had to wear masks when going from the house to the car because of the strong exhaust fumes.

I feel as though we are being poisoned by the smoke from my neighbors woodstove and there is nothing in Connecticut law to help us.

Thank You, sincerely

William Kusmit 18 Birchwood Rd.

Seymour, CT 06483...1-203-888-5792

Our Story

.....to be continued as events unfold....

Our ordeal began in 2002 .. Interlocutory Injunction obtained in May of 2005

I can tell you first-hand what it is like when one is forced to deal with a smoke issue, as I have lived through it.

I can tell you that the stench permeates your entire home, your clothing, your hair, and you can even taste it.

Exposure to the smoke was extremely uncomfortable and caused burning eyes, dry throat, irritation of the nasal passages and headaches. When the smoke stopped, so did the symptoms.

There was no relief by opening windows because the acrid smells were like a fog covering our house. Buying expensive air cleaners did nothing to remove the odors.

There was no enjoying the deck and yard as long as the wood burning stove was in operation.

As there was no provincial or municipal authority to whom I could turn to for help, I was forced to resort to the courts.

In order to get the smell of the wood smoke out of the house, we removed and replaced the carpeting, ductwork, the furnace and air conditioning unit, and cleaned all surfaces including the walls. Mattresses and pillows were discarded as they smelled of wood smoke. It was an expensive project.

I can tell you the fatigue my husband felt after working all day and then going to our house until near midnight day after day to

work on the renovations. Myself, I had all the clothing and every knick-knack and assorted other household objects to wash before bringing them back to the house.

I came to notice that there were absolutely no cobwebs in a house that had been vacated for so long. I can only assume that something in the smoke killed the spiders because, now that we have the Injunction and there is no burning, I again have cobwebs.

We were fortunate enough to have the means to seek legal help. Remember that there was no provincial or municipal authority which we could turn to for help. What would happen to those that cannot afford legal help? Would they be forced to move out of their homes? Could they afford to do that? Would they be able to sell their home when a potential buyer saw or smelled the smoke? Or, would they have to remain in their homes with their children and become sick? It's a thought that is very disturbing to me.

I think it is high time that our municipalities give some thought to banning all wood burning in residential areas. I fail to see how the public interest is served by permitting the unnecessary fouling of the air we all have the need to breathe.

Update: On September 10, 2008, I attended Motions Court to hear the motion filed by the defense attorney. He had filed a motion to delay trial and have the injunction lifted to allow his clients to burn for 3 days to test their chimney. For what purpose, I do not know, as this would be 3 years after the damage to our home. The judge declined the motion and

ordered trial to take place as scheduled.

On September 16, 2008, I attended Motions Court once again as the defense attorney had filed another motion to appeal the deposition of September 10, 2008. The visiting judge granted the appeal and it will be heard in Divisional Court in Toronto before a panel of 3 judges.

Updates to follow after their appeal hearing.

Once trial is over, I will write a complete story here of our attempts to get the burning stopped.

I will give you the responses that we received from those we contacted and also give you the contacts who refused to even respond.

It's hard to believe that something so obvious was allowed to continue to the point that we were forced from our home by the smoke and were put to exhausting and expensive work restoring our home!

Stay tuned.....

Shirley Brandie
Canadian Regional Director
Clean Air Revival, Inc.
<http://burningissues.org>
<http://woodburnersmoke.net>



This is the story of Dan & Vicki Morell - Vancouver BC

(this a picture of the new wood pile that our neighborhood gets to be exposed to all year long)

If it has happened to us it can happen to you. We have lived in our Vancouver home for almost 19 years. We have made many friends and love our neighbourhood. Recently, we have become bothered by a haze and a strong, terrible smoke odour from a neighbor's fireplace. We can't open a window let alone a door without our house being invaded by a foul stench of smoke. Forget about going outside into our yard - the air is polluted.

I thought I was safe by closing all the doors and windows but found out that the particulates from wood smoke are so tiny that they seep into non-burning homes through cracks, ventilation systems and around closed doors and windows. They can also stay in the air outside for hours or days.

When I am exposed to this smoke I get a sinus headache, my eyes start to burn and my skin gets itchy - these are just the symptoms I am aware of. We are unable to enjoy our environment and have considered moving. I feel like a prisoner in my own home.

THE NEGATIVE IMPACT THAT ONE FIREPLACE CAN HAVE ON A NEIGHBORHOOD

We tried to be good neighbors by talking to our neighbors who live 2 houses over (approx. 40 ft. from us) but they weren't receptive to our concerns at all. They yelled and screamed at me and told me to mind my own business. I thought wanting to breathe fresh air in my own house, yard and neighborhood was my right and my business. They use their fireplace even in the summer.

Issues like this can turn a great neighborhood into a unhappy, unhealthy and volatile place to live. Having a bylaw that doesn't protect its residents from the health hazards, pollution, nuisance and interruption to normal daily life from residential wood burning smoke and odour destroys lives and neighborhoods. What once was a great neighborhood to live in has literary gone up in smoke. Breathing wood smoke in any quantity is not good for anyone. Why should we be subjected to the second hand smoke from a neighbors wood burning fireplace - ESPECIALLY AGAINST OUR WILL.

Vicki Morell vmorell@teus.net 604-322-6744

It is still legal to poison your neighbour daily with chimney smoke!
Does anybody care?

Almost two decades ago, we purchased land in a new subdivision and built our dream house as far from the city as possible to enjoy fresh air and nature even if it meant a lengthy commute to work. Our joy didn't last very long when we realized that one neighbor was using a wood burning furnace as an only source for heating his house.

For at least six months of every year we have to endure inhaling heavy smoke coming at us from our neighbor's chimney with no mercy. So we complained and complained to them in a very friendly fashion and recieved a very friendly response that they will do something, but with no results at all. We were still very optimistic and hoping for a change that never came.

With our house finished, we aimed our attention to start a family which was met with lots of medical problems and obstacles. Once the medical problem was resolved many years later, we were blessed with two children. That's when we truly realized that something is really very wrong when we can't open our windows to let fresh air in for all the smoke and our babies can't have their afternoon nap outside because the air stings so bad. Pollution from our neighbour's chimney was overwhelming, driving us into depression and despair. We tried to talk to them again and again.

We told them that pollution and smoke goes to our place almost all the time, fills the house and is very bad for our health, especially our young children. Their answer was shocking for us. "Sorry, we can't help you, we moved all the way out here because it is legal to do this." They have very strong beliefs and no compassion to our pleading and our offering financial or any other help to change their house heating system (he is a corporate lawyer).

Another shocking piece of news was that when we contacted GVRD Air Quality Complaint line many times and were told that they are allowed to do that. GVRD told us that they can burn as much as they want and as long as they want. How is this possible in this day and age when second hand smoke is not allowed anywhere and even backyard burning is not allowed? How is it possible for these people to legally poison our breathing air on a daily basis with no penalty at all?

We have small children and we want them to grow up in a healthy environment. That was the main reason that we built our house here. What can we do to protect our family? We have both been diagnosed with depression and are on medication, which is not good for our children either. They deserve a healthy and happy home. Does anybody care? Do we really have to get cancer in order to have anything done about it!

This winter is really harsh and the smoke pollution is constant, usually all night, when they load their furnace and choke the air intake for slow burning. The air flow is usually from the northeast to the southwest and their house is directly northeast of us. All we can hope for right now is for the wind to change direction. We can smell it daily and we feel sick quite often. Whenever there has been heavy smoke we call them and ask them to stop it with very minor results. Recently we went to their property with our children to complain and to try to solve the problem. It is not very difficult to change the heating system. Now they are telling us that we are harassing them and we have to stop all calls or they are calling the police.

Where is protection for our family health? Does anybody care?

CITY OF LAGUNA HILLS, CALIFORNIA

CITY COUNCIL REGULAR MEETING

MINUTES

MARCH 23, 2004

CALL TO ORDER

Mayor Lautenschleger called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:01 p.m. in the Laguna Hills City Council Chamber, 25201 Paseo de Alicia, Suite 150, Laguna Hills.

PLEDGE OF ALLEGIANCE

Councilwoman Carruth led the Pledge of Allegiance.

ROLL CALL

Present: Joel Lautenschleger, Mayor

Randal J. Bressette, Mayor Pro Tempore

Melody Carruth, Council Member

R. Craig Scott, Council Member

Absent: L. Allan Songstad, Council Member

STAFF PRESENT: Bruce Channing, City Manager; Donald White, Assistant City Manager; Mary Carlson, City Clerk; Lois Jeffrey, City Attorney; Ken Rosenfield, Public Services Director/City Engineer; Vern Jones, Community Development Director; Bob Blackburn, Chief of Police Services; Kim Monach, Community Services Director; Butch Cleveland, Battalion Chief, Orange County Fire Authority; and Peggy Criswell, Assistant City Clerk.

1.1 7.3 Community Development Director

- A. A. REQUEST FOR AN ORDINANCE BANNING WOOD-BURNING FIREPLACES AND STOVES AND REQUIRING THE CONVERSION OF EXISTING WOOD-BURNING STOVES AND FIREPLACES TO GAS OR PROPANE FUELS (0230-05)

Community Development Director Jones reported that on February 10, 2004, a resident from the Laguna Terrace neighborhood, Lynn Alix-Edwards, provided the City Council with comments, written information, and photographs indicating her neighbor's wood-burning stove had created poor air quality around her home, which contributed to her child's health problems. She asked the City to consider adopting a nuisance code for smoke and embark on a program of eliminating wood-burning stoves and fireplaces and converting them to gas and propane only. Staff reviewed her request, and there was a lack of general acceptance by most agencies and insufficient evidence that the typical quantity of smoke generated by wood-burning stoves and fireplaces was considered a health hazard. Due to the substantial expense and effort required to convert all of the existing wood-burning stoves and fireplaces to natural gas, as well as the difficulty of monitoring and enforcing a ban against smoke coming from wood-burning devices, staff did not believe it was reasonable to ban wood-burning fireplaces and stoves or to require their conversion at this time.

Lynn Alix-Edwards, Laguna Hills, responded to the agenda report she had received regarding banning of wood-burning stoves and fireplaces. She indicated the City did not have the full knowledge of the adverse health effects of allowing the smoke to contaminate the ambient air. She wanted to address these effects and inform the City Council Members of facts of which they might not be aware. She presented the following exhibits supporting the fact that there was a definite health hazard established, not only acute, but chronic:

Exhibit 1 – A letter from the hospital she was admitted to for carbon monoxide poisoning due to excessive smoke inhalation.

Exhibit 2 – Letters from her doctor, her foster child's doctor, and her handicapped brother's doctor describing the adverse health effects they had experienced from breathing smoke.

Exhibit 3 – Testimonies from several neighbors who had to move from the neighborhood due to the excessive smoke invading their property.

Exhibit 4 – Statements from agencies, including the Lung Association, Environmental Protection Agency (EPA), and Air Quality Management District (AQMD), stating the devastating health facts of those who breathe wood smoke on a continual basis.

Exhibit 5 – A lab report revealing the carcinogenic chemicals found in their ambient air from the smoke. The chemicals were found in massive quantities, over and beyond the maximum allowance for any human to breathe without getting acute and chronic illnesses.

Exhibit 6 – A video tape from a news channel interview of the neighbors regarding the adverse health effects from breathing the wood smoke that was allowed to invade their properties.

Exhibit 7 – A regulation set by AQMD stating that no person should discharge this type of pollutant.

Exhibit 8 – A petition from the neighborhood requesting that the smoke stop.

Ms. Alix-Edwards asked if the City knew the ashes were examined, and they contained remnants of burnt plastics, human waste, urea and other human byproducts (Exhibit 9). She asked if the City knew that the creosote found contained evidence of carcinogenic chemicals and that the burning had been going on for many years. She indicated there was no trash pick up during one summer and questioned where the trash went and why there was burning that summer. She indicated she did not know what was happening today; the board and care home no longer

existed; but the smoke was still coming into her yard. Her family was seen by a toxicologist, who after extensive testing found that breathing this contaminated smoke for so many years may have taken off as much as seven years from their lives. She noted that the AQMD cited this smoke at 100% opacity (*at one time*), and the limit was 20% opacity. Although the AQMD (*can*) fine people who burned at this opacity, fining does not necessarily stop the burning. She felt she was correct in stating that all the environmental agencies felt smoke was unhealthy, no matter where it came from. She asked that the City Council consider a compromise, requiring use of a fireplace instead of tin stoves or an electric fireplace or stove, the central heating system, or propane or to require her neighbor to raise the roof to a peak rather than it being flat. There were alternatives to heating a home, but there were no alternatives to breathing the air. She asked for some change, even a small one. Ms. Alix-Edwards indicated her two sisters, her mother, and her uncle died of lung cancer. Her child had lung problems. The AQMD was checking into her concerns.

Mr. Jones reported a few weeks ago a representative from AQMD contacted the City's Code Enforcement Officer. He had just been to Ms. Alix-Edwards residence, and he wanted to discuss Mrs. Alix-Edwards' issues with the City's Code Enforcement Officer. He wanted to discuss what the City could and could not do regarding the smoke issue. Mr. Jones did briefly meet with the AQMD representative. The representative let him know that AQMD did not regulate or typically get involved in reviewing residential smoke issues, but they had made an exception in this particular case. He showed staff an AQMD provision which was **not** specific in terms of having any measurable standard for smoke that was considered unhealthy. He was asking the City to enforce a **vague** AQMD regulation. Mr. Jones had advised him the City **did not** have any regulations regarding this issue, and the City **would not be enforcing the AQMD regulations. They should be enforcing their own regulations.** The AQMD representative had indicated to Mr. Jones that the 20% opacity level was their threshold for concern, and the AQMD representative thought the smoke he saw was somewhere close to that, but he did not have a precise measurement. The AQMD representative indicated he would be filing a report. City staff had followed up a couple times to obtain a copy of the report, and to date, no report has been provided by AQMD. There were a few Cities in the Bay Area that were considering stricter regulations regarding wood-burning stoves and fireplaces, but Mr. Jones was not aware of any Cities that had actually adopted regulations.

IT WAS MOVED BY COUNCILMAN SCOTT, SECONDED BY COUNCILWOMAN CARRUTH, TO REQUEST STAFF ADVISE THE CITY COUNCIL BY MEMO OF ANY ACTION TAKEN BY THE AIR QUALITY MANAGEMENT DISTRICT (AQMD) REGARDING MS. ALIX-EDWARDS' CONCERNS AND TO RECEIVE AND FILE THE REPORT.

The motion carried by the following vote:

AYES: Council Members Carruth, Scott, Mayor Pro Tempore Bressette, and Mayor Lautenschleger

NOES: None

ABSENT: Councilman Songstad