

Title 32: PROFESSIONS AND OCCUPATIONS**Chapter 139: MAINE FUEL BOARD****Subchapter 1: GENERAL PROVISIONS****§18108. Disclosures; penalties**

A person, firm or company that installs a chimney or fireplace for compensation must issue, prior to the installation taking place, a disclosure statement to a consumer that the chimney or fireplace complies with NFPA standards, Number 211. The disclosure statement must be in a format approved by the board and contain the information the board considers necessary. Any chimney or fireplace installer who fails to provide the required disclosure statement to a consumer prior to the installation of a chimney or fireplace commits a civil violation for which a fine of not less than \$500 may be adjudged. [PL 2009, c. 344, Pt. C, §3 (NEW); PL 2009, c. 344, Pt. E, §2 (AFF).]

SECTION HISTORY

PL 2009, c. 344, Pt. C, §3 (NEW). PL 2009, c. 344, Pt. E, §2 (AFF).

**The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.
If you need legal advice, please consult a qualified attorney.**

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STATE OF MAINE
CHIMNEY OR FIREPLACE DISCLOSURE

Dear Consumer: State law, specifically 32 M.R.S.A., Chapter 33, requires chimney or fireplace installers, as of January 1, 1992, to provide you with this Disclosure prior to the installation work being done on your chimney or fireplace. The purpose of this Disclosure is to help you, as a consumer, make an informed decision as to the abilities of the installer and under what requirements the installation must comply. It is important to note that the State of Maine does not require registration or licensure of chimney or fireplace installers; however, it is just as important to realize that many fires are caused each year by improperly constructed fireplaces and chimneys. For further information about this law, call the Div. of Licensing & Enforcement at 1-582-8723 or write to the Division at State House Station #35, Augusta, ME 04333.

INSTALLER INFORMATION

Name of Installer _____

D.B.A. _____

Name of Installer (if incorporated) _____

D.B.A. _____

Legal Address _____

(Street and No.) (City or Town)

(State) (County) (Zip Code)

Home Telephone ____/____/____ Business Telephone ____/____/____

Years of experience doing fireplace or chimney installations []

NAMES AND ADDRESSES OF INSTALLER'S LAST THREE CUSTOMERS
OF CHIMNEY OR FIREPLACE INSTALLATIONS

1. Name _____ Telephone # _____

Address _____ Date of Installation _____

Description of Job _____

2. Name _____ Telephone # _____

Address _____ Date of Installation _____

Description of Job _____

3. Name _____ Telephone # _____

Address _____ Date of Installation _____

Description of Job _____

CONSUMER IDENTIFICATION

Consumer's Name _____

Mailing Address _____

(Street & No.) (City or Town) (State) (Zip Code) (COUNTY)

Home Phone ____/____/____ Business Phone ____/____/____

INSTALLATION STANDARDS

Please check of the type of unit(s) that will be installed:

1. **Factory-Built Chimney and Chimney Units**

Factory built chimney and chimney units shall be listed and shall be installed in accordance with the temperature conditions of the listing and the manufacturer's instructions and all requirements of NFPA 211 for chimneys, fireplaces, vents and solid fuel appliances.

2. **Masonry Chimney**

Masonry Chimneys shall be designed, anchored, supported and re-enforced as required by NFPA 211 for chimneys, fireplaces vents and solid fuel appliances.

3. **Metal Chimney**

Metal chimneys shall be constructed in accordance with NFPA 211, and shall apply good engineering practices as necessary for:

1. Strength to resist stress
2. Adequate anchoring and bracing
3. Durability
4. Security against leakage
5. Allowances for thermal expansion

4. **Factory Built Fireplace**

Factory built fireplaces shall be listed and shall be installed in accordance with the terms of its listing and all applicable sections of NFPA 211.

5. **Masonry Fireplace**

Masonry fireplaces shall meet the requirements of NFPA 211, Chapter 7 and all other pertinent sections.

I, _____, the installer, hereby attest that the preceding information provided is true to the best of my knowledge. I also understand that if I fail to conform with the standards as outlined in NFPA 211 that I shall be subject to penalties as outlined under Title 32, Chapter 33, Oil and Solid Fuel Board.

Signature _____ Date _____

CONSUMER CHECKLIST

1. Have you checked the references provided by the installer?
2. Is the installer familiar with the NFPA 211 codes and does the installer carry a code book?
3. If the installation is a pre-fabricated chimney or fireplace, is its manufacturer registered with the Maine Oil & Solid Fuel Board?
4. Does the installer provide any type of written guarantee for the product installation being proposed?
5. Has the installer provided you with a written contract? 10 M.R.S.A. Chapter 219-A requires written contracts for any home remodeling or construction with an estimated cost in excess of \$1,400.
6. Have you asked the local fire department or code enforcement officials to inspect the installation during and after completion?

NOTE: This form may be reproduced; however, its contents may not be altered in any way.