

CHAPTER XIX
SOLID FUEL-FIRED OUTDOOR HEATING DEVICES

19.01 DEFINITIONS:

(1) Solid fuel-fired outdoor heating device means any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source.

(2) Stacks or chimneys means any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a solid fuel fired heating devices, especially that part of such structures extending above a roof.

(3) Conditional use means it requires a public hearing by the Town Board for the permitted use of the device.

19.02 REGULATIONS FOR SOLID FUEL-FIRED OUTDOOR HEATING DEVICES:

(1) No solid fuel-fired outdoor heating devices shall be operated in the Town without first obtaining a conditional use permit.

(a) No conditional use permit will be granted to a property owner if, at the time the application for a conditional use permit is submitted, the residence is subject to a subdivision covenant which prohibits the installation and operation of a solid fuel-fired outdoor heating device.

(b) No conditional use permit shall be granted unless the applicant provides a copy of the manufacturer's instruction and the regulations for the use of said solid fuel-fired outdoor heating device.

(c) All applications for a conditional use permit shall contain a copy of all subdivision covenants in existence at the time the application for a conditional use permit is submitted.

(2) All solid fuel-fired outdoor heating devices shall meet the emission standards currently required by the Environmental Protection Agency (EPA). Emission standards currently required by the EPA are hereby adopted by reference together with any amendments or modifications made to them in the future.

(3) All solid fuel-fired outdoor heating devices shall be installed, operated and maintained in strict conformance with the manufacturer's instructions and the regulations promulgated hereunder. In the event of a conflict, the regulations promulgated hereunder shall apply unless the manufacturer's instructions are stricter than the regulations promulgated hereunder, in which case the manufacturer's instructions shall apply.

(4) Fuel:

- (a) Fuel for a solid fuel-fired outdoor heating device shall only be natural untreated wood, wood, and corn pellets specifically permitted by the manufacturer.
- (b) The following fuels are strictly prohibited:
 - i. Burning of processed wood products and other non-wood products;
 - ii. Petroleum in any form;
 - iii. Garbage;
 - iv. Painted wood or treated wood;
 - v. Rubber
 - vi. Any other items not specifically allowed by the manufacturer or this provision.

(5) Fuel Device Setbacks:

- (a) Seventy-five (75) feet from the nearest side or rear property line;
- (b) One Hundred (100) feet from any road;
- (c) Twenty-five (25) feet from any structure.

(6) Chimney Heights:

- (a) The chimney height for any solid fuel-fired outdoor heating device shall be 2 feet above the highest eave line of any neighboring residence within 13 5 feet.
- (b) All chimney pipes shall be supported to withstand winds up to 90 miles per hour.

(7) No solid fuel-fired outdoor heating device shall be used when the outdoor temperature is above 50 degrees Fahrenheit.

(8) Subdivision covenants regarding solid fuel-fired outdoor heating devices may be more restrictive than this ordinance but not less restrictive.