

Village of Sanford
Ordinance No. 37
Outdoor Wood Fired Boilers

AN ORDINANCE pertaining to Outdoor Wood Fired Boilers, their definition, regulations, substantive requirements, and violations and penalties.

THE VILLAGE OF SANFORD ORDAINS:

Section 1 - Definitions

A. Outdoor Wood Furnace: Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors and is primarily hand-loaded for the 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. An Outdoor Wood Furnace may also be referred to as an Outdoor Wood Boiler, Outdoor Wood-fired Hydronic Heater or Hydronic Heater.

B. Outdoor Wood-Pellet Furnace: An outdoor wood-pellet furnace that is specifically designed to burn wood pellet fuel, , or other biomass pellets with metered fuel and air feed and controlled combustion engineering, which burns only wood pellets, or other biomass pellets.

C. Chimney: Flue or flues that carries off exhaust from an Outdoor Wood Furnace firebox or burn chamber.

D. Existing Outdoor Wood Furnace: An Outdoor Wood Furnace that was purchased and installed prior to the effective date of this local law.

E. New Outdoor Wood Furnace: An Outdoor Wood Furnace that is first installed, established or constructed after the effective date of this local law.

F. Natural Wood: Wood, which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

Section 2 - Regulations for Outdoor Wood Furnaces

A. No person shall, from the effective date of this local law, construct, install, establish, operate or maintain an Outdoor Wood Furnace other than in compliance with the applicable sections of this local law.

B. No person shall, from the effective date of this local law operate an existing Outdoor Wood Furnace unless such operation conforms with the manufacturer's instructions regarding such operation and the requirements of this local law regarding fuels that may be burned in an Outdoor Wood Furnace as set forth in Sections 3.A and 3.B of this local law.

C. All new Outdoor Wood Furnaces shall be constructed, established, installed, operated and maintained in conformance with the manufacturer's instructions and the requirements of this local law. In the event of a conflict, the requirements of this local law shall apply unless the manufacturer's instructions are stricter, in which case the manufacturer's instructions shall apply.

D. The owner of any new Outdoor Wood Furnace shall produce the manufacturer's owner's manual or installation instructions to the (appropriate department) to review prior to installation.

E. All new Outdoor Wood Furnaces shall be laboratory tested and listed to appropriate safety standards such as UL, CAN/CSA, ANSI or other applicable standards

F. If an existing Outdoor Wood Furnace is, through the course of a proper investigation by local authorities, creating a verifiable nuisance, as defined by local or state law, the following steps may be taken by the owner and the Village of Sanford Building Department having jurisdiction:

(1). Modifications made to the unit to eliminate the nuisance such as extending the chimney, or relocating the Outdoor Wood Furnace or both.

(2). Cease and desist operating the unit until reasonable steps can be taken to ensure that the outdoor wood furnace will not be a nuisance.

Section 3 - Substantive Requirements

Outdoor Wood Furnaces shall be constructed, established, installed, operated and maintained pursuant to the following conditions:

A. Fuel burned in any new or existing Outdoor Wood Furnace shall be only natural untreated wood, wood pellets, products, biomass pellets or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas or propane backup.

B. The following fuels are strictly prohibited in new and existing Outdoor Wood Furnaces:

(1). Wood that has been painted, varnished or coated with similar material and/or has been pressure treated with preservatives and contains resins or glues as in plywood or other composite wood products.

(2). Rubbish or garbage, including but not limited to food wastes, food packaging, food wraps.

(3). Any plastic materials including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

(4). Rubber including tires or other synthetic rubber-like products.

(5). Newspaper, cardboard, or any paper with ink or dye products.

(6). Any other items not specifically allowed by the manufacturer or this provision.

C. Setbacks for any new Outdoor Wood Furnace:

- (1). The Outdoor Wood Furnace shall be located at least 50 feet from the property line.
- (2). The Outdoor Wood Furnace shall be located at least 100 feet from any residence that is not served by the Outdoor Wood Furnace.
- (3). The Outdoor Wood Furnace shall be located on the property in compliance with manufacturer's recommendations and or testing and listing requirements for clearance to combustible materials.

D. Chimney heights for any outdoor wood furnace:

- (1). The chimney of any new Outdoor Wood Furnace shall extend at least 2 feet above the peak of any residence not served by the Outdoor Wood Furnace located within 100 ft of such outdoor wood furnace.

Section 4 - Violations and penalties

Any person who shall violate any provision of this local law shall be guilty of a violation as defined in Ordinance #27 and shall upon conviction be subject to a fine as defined in Village of Sanford ordinance #27.

Section 5 - Effective date

This ordinance shall take force and effect thirty (30) days after publication.

Made and passed by the Sanford Village Council this 9th day of January, 2011.

YEAS: Marlene Glinski, Don Whaley, Tim Bailey

NYS: None ABSENT: Carl Hamann, David Hartshorn

VILLAGE OF SANFORD
STATE OF MICHIGAN
COUNTY OF MIDLAND

I, the undersigned, the duly qualified and acting clerk of the Village of Sanford, Midland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village council at a regular meeting held on the 9th day of January, 2012 the original or which is on file in my office.

Aileen Acker, Clerk

PUBLICATION

I certify that the foregoing ordinance was published in the Midland Daily News, a newspaper of general circulation in the Village of Sanford, on the _13_ day of February, 2012.

Aileen Acker, Clerk