

## Title 15 – Chapter 4

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# Solid Fuel-Fired Outdoor Heating Devices

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### **Sec. 15-4-1 Definitions.**

- (a) Solid Fuel-Fired Outdoor Heating Device: 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.
- (b) Stacks or Chimneys: Any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a solid fuel-fired heating device; especially that part of such structure extending above a roof.

### **Sec. 15-4-2 Regulations.**

- (a) All solid fuel-fired outdoor heating devices shall be installed, operated and maintained in strict conformance with the manufacture's instructions and regulations and all other applicable local, state and federal standards.
- (b) All solid fuel-fired outdoor heating devices shall be approved by the Department of Commerce through an approved testing agency.
- (c) All solid fuel-fired outdoor heating devices shall be provided with written documentation from the manufacturer that the device is or is in the process of being registered with the Department of Commerce Boiler Division.
- (d) All solid fuel-fired outdoor heating devices shall, in addition, be operated and maintained as follows:
  - (1) Fuel shall be only natural untreated wood, or other solid fuel specifically permitted by the manufacturer such as corn or other pellets specifically designed for the solid fuel-fired outdoor heating device.

The following fuels are prohibited:

- (a) Processed wood products other than wood
- (b) Petroleum in any form
- (c) Rubber
- (d) Plastic
- (e) Garbage

- (f) Painted wood or treated wood
  - (g) Any other items not specifically allowed by the manufacturer.
- (e) All solid fuel-fired outdoor heating devices shall only be operated from September 1 through May 31.

### **Sec. 15-4-3      Installation.**

A Solid Fuel-Fired Outdoor Heating Device maybe installed in the Town of Oshkosh in accordance with the following provisions:

- (a) The solid fuel-fired outdoor heating devices shall be located at least 200 feet from all exterior property lines.
- (b) The solid fuel-fired outdoor heating device shall have a chimney that extends at least 15 feet above the ground surface. If there are any existing and future residences within 500 feet, the chimney shall also extend at least 2 feet higher than the roof peak elevation of all such residences. All chimneys greater then 15 feet in height above the ground shall be provided with documentation from the manufacturer specifying that the solid fuel-fired outdoor heating device will function with this increased chimney height and how the chimney shall be supported.
- (c) The owner of the solid fuel-fired outdoor heating device shall obtain a permit from the Town of Oshkosh before installing a solid fuel-fired outdoor heating device.
- (d) All solid fuel-fired outdoor heating devices must be installed in accordance with all codes and manufacturer's guidelines.

### **Sec. 15-4-4      Nuisance.**

Should any solid fuel-fired outdoor heating device permitted under this ordinance become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood as determined by the Town Board, then the owner shall correct, improve or abate the nuisance using whatever means are necessary in accordance with this Section. If the nuisance can not be abated then operation of the device shall be discontinued until a solution to the nuisance can be found.

### **Sec. 15-4-5      Penalties.**

Any person, firm, corporation, business or entity who fails to comply with any provisions of Section 15-4 shall, upon conviction thereof, forfeit an amount set forth in Appendix C Fines and Penalties, plus the cost or prosecution for each violation; and, in default of payment of such forfeiture and cost shall be imprisoned in the county jail until payment thereof, but not exceeding 30 days. Each day of violation shall represent a separate violation of the ordinance as described herein.