

ORDINANCE REGULATING THE INSTALLATION AND OPERATION OF OUTDOOR FIRED FURNACES IN THE TOWN OF BRISTOL

A. Definitions

1. Outdoor Wood Furnace: Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors and is primarily developed 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, regardless of whether the unit is placed indoors or outdoors.
2. Outdoor Wood-Pellet Furnace: An outdoor wood-pellet furnace that is specifically designed to burn wood pellet fuel, corn, or other biomass pellets with metered fuel and air feed and controlled combustion engineering, which burns only wood pellets, corn or other biomass pellets.
3. Chimney: Flue or flues that carries off exhaust from an Outdoor Wood Furnace firebox or burn chamber.
4. EPA OWHH Phase 1 Program: Program administered by the U.S. Environmental Protection Agency and that has a particulate matter emission limit of 0.60 pounds per million BTU and is labeled accordingly.
5. EPA Outdoor Wood Heater Phase 1 Program Qualified Model: An Outdoor Wood-fired Heater that has been EPA OWHH Phase 1 Program qualified. The model has met the Phase 1 emission level and is labeled accordingly.
6. Existing Outdoor Wood Furnace: An outdoor wood furnace that was purchased and installed prior to the effective date of this ordinance.
7. 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 flues as in plywood or other composite wood products.

B. Regulations

1. 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 ordinance.
2. No person shall, from the effective date of this ordinance, operate an existing Outdoor Wood Furnace unless such operation conforms with the manufacturer's instruction regarding such operation and the requirements of this ordinance regarding fuels that may be burned in an Outdoor Wood Furnace.

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

C. Requirements

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

1. Existing Outdoor Wood Furnaces, per Chapter II, Section A (6) of this ordinance become subject to all requirements of new Outdoor Furnaces under this ordinance at such time that the property containing the Outdoor Furnace is sold or transferred to a new owner.
2. Outdoor Wood Furnaces are prohibited on all platted subdivision lots in the Town of Bristol and on Certified Survey (CSM) lots located in designated growth and development areas per the Town of Bristol Comprehensive Smart Growth Plan.
3. Fuel burned in any new or existing Outdoor Wood Furnace shall be only natural untreated wood, wood pellets, corn products, biomass pellets or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas or propane backup.
4. The following fuels are strictly prohibited in new and existing Outdoor Wood Furnaces:
 - a. 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.
 - b. Rubbish or garbage, including, but not limited to, food wastes, food packaging or food wraps.
 - c. Any plastic materials including but not limited to, nylon, PVC, ABS, polystyrene or urethane foam and synthetic fabrics, plastic films and plastic containers.
 - d. Rubber, including tires or synthetic rubber-like products.
 - e. Newspaper, cardboard or any paper with ink or dye products.
 - f. Any other items not specifically allowed by the manufacturer or this ordinance.
5. Outdoor Wood Furnaces must be EPA OWHH Phase 1 Program Qualified and be labeled accordingly.

6. Setbacks for approved Outdoor Wood Furnaces:
 - a. The Outdoor Wood Furnace shall be located at least 15 (fifteen) feet from the owners property line.
 - b. The Outdoor Wood Furnace shall be located at least 500 (five hundred) feet from any residence that is not served by the Outdoor Wood Furnace unless the owner of the neighboring property gives written permission and agrees to a deed notification for the property waiving the required setback.
7. Chimney heights for approved Outdoor Wood Furnace:
 - a. The chimney of any new Outdoor Wood Furnace shall extend at least 20 feet.
8. A Town of Bristol building permit must be obtained prior to the installation of any Outdoor Wood Furnace.

D. Violations and Penalties

Any person who shall violate any provision of this ordinance shall be subject to a fine of \$500 (five hundred dollars). Each week's continued violation shall constitute a separate and distinct offense. This section shall be enforced by the Town of Bristol building inspector.

In the event that the Town of Bristol is required to take legal action to enforce the provisions of this ordinance, the violator may be responsible for any and all necessary costs relative thereto, including attorney's fees, and such expense shall be charged to the property affected by including such expense in the next annual tax levy against the property.

E. Severability

The provisions of this ordinance are severable and the invalidity of a particular provision shall not invalidate any other provisions.

F. Effective Date

This ordinance is effective upon adoption and publication.

Adopted: October 21,2008

Published: November 19, 2008