

TOWN OF SUMPTER

Donna Ziegler, Clerk
E10603A Cty. Hwy. C
North Freedom, WI 53951

OUTDOOR FURNACE ORDINANCE

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The Board of the Town of Sumpter, Sauk County, Wisconsin, does hereby ordain as follows:

1.10 Purpose and Authority. It is the purpose of this ordinance to establish and impose restrictions upon the construction and operation of outdoor furnaces within the limits of the Town of Sumpter for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the Town and its inhabitants. It is generally recognized that the types of fuel used, and the scale and duration of the burning by such furnaces create noxious and hazardous smoke, soot, fumes, odors, air pollution, particles, and other products of combustion that can be detrimental to citizens health, and can deprive neighboring residents of the enjoyment of their property or premises. These regulations are adopted under the statutory authority granted pursuant to sections 60.555, 601.0(2)(c), 60.22(3), and 61.34(1) of the Wisconsin Statutes.

1.20 Definition. Outdoor furnace shall mean, but is not limited to, any device, appliance, equipment apparatus or structure that is designed, intended and/or used to provide heat and/or hot water to any associated structure, that operates by burning wood or any other fuel, including, but not limited to, paper pellets and agricultural products, is not located within the structure to be heated, and includes, but is not limited to, devices referred to as wood furnaces, outdoor boilers, hydronic heaters, and outdoor stoves.

1.30 Permits.

- (1) No person shall install, use, replace, or maintain an outdoor furnace in the Town of Sumpter without a permit issued by the Building Inspector. The fee shall be set by the Town Board. The applicant shall submit an application for an outdoor furnace to the Town Clerk on a form prepared by the Town Building Inspector. Upon review of the application and approval by the Building Inspector, the Building Inspector shall issue a permit. The applicant must demonstrate compliance with the requirements of this ordinance to obtain a permit.

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- (2) Outdoor furnaces installed before the date this ordinance is enacted will be issued a permit at no charge upon application. Property owners with existing outdoor furnaces will have 60 days from the date of enactment of the ordinance to obtain a permit. Property owners with existing outdoor furnaces whose outdoor furnaces are not permitted on or before the expiration of the 60 days will be subject to enforcement and penalties as provided in this ordinance. Any replacement of an outdoor furnace that was installed before the enactment date of this ordinance must comply with all provisions of this ordinance.

1.40 Regulations.

- (1) All outdoor furnaces must meet or exceed the United States Environmental Protection Agency's Phase 1 or 2 Emission Standards for outdoor wood-fired hydronic heaters. Outdoor furnaces shall be placed at least fifty (50) feet from the back lot line and at least seventy-five (75) feet from side yard lot line of said subject property.
- (2) Outdoor furnaces installed at the time of the enactment of this ordinance, do not need to comply with setback provisions contained in number 1 of this section, however, any replacement of such an outdoor furnace will have to comply with the provisions contained in number 1 of this section.
- (3) The minimum chimney height shall be fourteen (14) feet as measured from the base of the outdoor furnace. The base is the pad or area on which the outdoor furnace is placed. In addition, if the outdoor furnace is located within three hundred (300) feet of a structure, the chimney height shall be at least two (2) feet above the elevation of the highest roofline, with the maximum required chimney height equal to thirty-five (35) feet from the base of the outdoor furnace. Compliance with this section requires increasing chimney height to meet the requirements of this section as rooflines within three hundred (300) feet are increased or newly constructed.
- (4) An area of twenty (20) feet around the outdoor furnace structure shall be free of vegetation, except grass not exceeding four (4) inches in length.
- (5) No fuel other than: (a) natural wood, (b) wood pellets, and (c) agricultural seeds that are not chemically treated and are without additives or in their natural state, may be burned. Owners using natural wood shall season or age the wood for at least one (1) year.
- (6) Outdoor furnaces shall not be used to burn any of the prohibited materials listed in Section 1.50.