

14.105 - SOLID FUEL-FIRED HEATING DEVICES. (Cr. Ord. #30-05)

**(1) DEFINITIONS.**

- (a) *Solid Fuel-Fired 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.
- (b) *Stacks or Chimneys* means 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 structures extending above a roof.

**(2) REGULATIONS FOR SOLID FUEL-FIRED HEATING DEVICES.**

- (a) Solid fuel-fired heating devices are allowed only in A-1, A-2, Rs-1 and Rs-2 Zoning Districts.
- (b) All solid fuel devices installed within the Village limits are required to meet 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.
- (c) All outdoor 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.
- (d) Substantive requirements. All outdoor devices shall be installed, operated and maintained pursuant to the following conditions:
  - 1. *Fuel.* Fuel shall be only natural untreated wood or wood specifically permitted by the manufacturer. The following fuels are strictly prohibited:
    - a. Non-wood products.
    - b. Kerosene.
    - c. Garbage.
    - d. Painted wood or treated wood.
    - e. Any other items not specifically allowed by the manufacturer or this provision.

2. *Chimney Heights and Fuel Device Location.*
  - a. 25 feet from nearest side or rear property line.
  - b. 100 feet from any road.
  - c. 25 feet from any structure.
  - d. 15 feet minimum chimney height.
  - e. Chimney shall be supported to withstand winds up to 90 miles per hour.
- (e) Existing outdoor solid fuel heating devices not permitted must comply with this code.
- (f) Permits.
  1. *[Required.]* No person shall allow, maintain or use an outdoor wood furnace in the Village of Germantown without first having obtained a permit from the Village Building Inspector on the forms prescribed by such official. Permit fee per schedule.
  2. *Violations.* A permit may be suspended in the event the owner fails to comply with this ordinance.
  3. *Penalty.* Any person who constructs, erects, or fails to remove, replace, or modify any outdoor solid fuel-fired heating device that does not meet the requirements of this ordinance shall forfeit \$25.00 per day for each day the noncomplying unit remains on the premises.
- (3) **VARIANCE.** Where the Village finds that extraordinary hardship will occur from the enforcement of this local ordinance, upon application to the Village Board, said Village Board may vary the regulations contained herein to afford substantial justice, provided that such variation will not have the effect of nullifying the intent and purpose of this local ordinance.
- (4) **CONNECTION TO PLUMBING SYSTEMS.** If the unit is providing hot water for domestic use, a plumbing permit is required. The Wisconsin State Plumbing Code shall be adhered to.
- (5) **ELECTRICAL PERMIT.** An electrical permit may be required.