

**ARLINGTON TOWNSHIP
VAN BUREN COUNTY, MICHIGAN
ORDINANCE NO. _____
ADOPTED _____**

**PLANNING COMMISSION MEETING FOR THE
DISCUSSION/ADOPTION OF THIS ORDINANCE TO BE HELD ON
11/16 AT 6PM**

ORDINANCE FOR REGULATION OF OUTDOOR WOOD-BURNING BOILER

The purpose of this ordinance is to promote, and to safeguard the health, comfort, living conditions, safety, and welfare of the citizens of Arlington township by regulating the air pollution of outdoor wood furnaces.

1. DEFINITIONS

a. "Nuisance": As defined in Section 10.02, Definitions, Arlington Township Zoning Ordinances.

b. "Outdoor Wood Boiler": Also known as an outdoor wood-fired boiler, outdoor wood-burning appliance, or hydronic heater, means a fuel-burning device that is designed to burn clean wood or other approved solid fuels and is not located within a building intended for habitation by humans or domestic animals; and heats building space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

c. "Refuse": Any waste, material, garbage, animal carcasses, and trash or household materials except trees, logs, brush, and stumps.

d. "Seasoned Wood": seasoned wood has been cut, split, and left out to dry for a few months to a few years and has a moisture content of 20% or less.

2. REQUIREMENTS

a. An outdoor wood boiler shall not be permitted in any plated area.

b. An outdoor wood boiler shall be in compliance with local fire codes and homeowner's insurance requirements must be met for acceptable distances from adjacent structures.

c. Installation of an outdoor furnace or boiler. shall require a permit. The Permit Application for Installation will require:

- i. a sketch of applicant's property providing locations including setbacks and measurements of all structures as well as distance from adjacent property occupied structures.
 - ii. A copy of the manufacturer's installation and operation instructions.
 - iii. A written statement from the installer that the outdoor furnace boiler was installed according to all manufacturer's instructions and all Township, state, and federal requirements.
- d. The boiler/furnace shall meet setbacks.
 - i. Side-yard 25 feet
 - ii. Rear-yard 25 feet
- e. The unit shall not be in the front yard.
- f. Chimney must be of double wall insulated construction.
- g. The Chimney stack termination shall be a minimum of 15 feet above immediate grade and shall not exceed 35 feet. Should be 2' above the roof line of the nearest habitable structures on adjacent properties within 150' of the outdoor wood boiler. Additional stack requirements may be implemented by the zoning administrator to abate nuisance emissions.
- h. The chimney stack shall be supported by a metal or wood post, or guy wires. Chimney guy wires, if necessary, shall be clearly visible at all heights below 9 feet.
 - i. Existing wood burning boilers at the time of adoption of this ordinance that are not in compliance with this ordinance may continue to operate but cannot be relocated, attach to new/additional structures, or be replaced without compliance with this ordinance.
 - j. Existing boilers/furnaces at the time of adoption of this ordinance must comply with sections f-h.
- k. Only seasoned dry, and untreated wood and clean burning wood byproducts (such as wood pellets) may be used for fuel. Other biomass fuel materials may be used (such as corn, corn cobs, cherry pits) provided that the unit is designed to burn such materials while meeting the emissions requirements stated in this section. Any items not listed specifically or not allowed by the manufacturer are prohibited.

l. The outdoor wood furnace must be operated according to the manufacturer's instructions as well as all applicable Township, county, state, or federal requirements.

m. Emission Standards: All outdoor wood furnaces installed after the effective date of this ordinance shall comply with the Phase 2 emissions guidelines of the United States Environmental Protection Agency's (USEPA) Voluntary Program for Hydronic Heaters. Should the USEPA, the State of Michigan or Van Buren County adopt more restrictive requirements, all wood boilers installed after the effective date of the new requirements shall comply with the more restrictive requirements.

3. EFFECTIVE DATE

This ordinance shall become effective 30 days after publication.

CERTIFICATION

I further certify that trustee _____ moved for adoption of said Ordinance No. _____, and that trustee, _____ seconded said motion.

I further certify that the following members voted for adoption of said Ordinance: _____ and that the following members voted against such Ordinance: _____.

I further certify that said Ordinance No. _____ has been recorded in the Ordinance Book of the Township of Arlington and that such recording has been authenticated by the signatures of the Township President and Township Clerk.

I do hereby certify that a synopsis of this Ordinance No. _____, in accordance with statutory requirements was published on _____, in the _____, a copy of which is attached hereto.

Georgette Peterson
Arlington Township Clerk