

# VILLAGE OF COLEMAN

## ORDINANCE NUMBER 2005-01

AN ORDINANCE AMENDING CHAPTER 220 OF THE MUNICIPAL CODE OF ORDINANCES OF THE VILLAGE OF COLEMAN, WISCONSIN GOVERNING PEACE AND GOOD ORDER.

THE VILLAGE BOARD OF THE VILLAGE OF COLEMAN, MARINETTE COUNTY, WISCONSIN DOES HEREBY ORDAIN THAT CHAPTER 220 BE AMENDED TO ADD THE FOLLOWING SECTION:

### SECTION 1:

#### **SECTION 220-28 – Outdoor Woodburning Heating Units Prohibited**

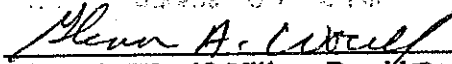
- A. **Definitions.** For the purpose of this ordinance the following definitions shall apply:
- 1) ***Outdoor Woodburning Heating Unit*** is defined as an accessory structure, building, or apparatus which supplies direct or indirect heat from the burning of wood to another building.
  - 2) ***Chimney*** shall mean a vertical structure or stack enclosing a flue or flues that carry off smoke or exhaust from a solid fuel fired heating device.
- B. **Prohibition.** Outdoor Woodburning Heating Units are prohibited and shall not be installed or operated within the village limits of the Village of Coleman.
- C. **Existing Devices.** Any Outdoor Woodburning Heating Unit existing prior to the effective date of this ordinance that does not conform to the requirements outlined in section D of this ordinance shall, upon the complaint of a resident of the Village, be removed, replaced or modified to meet the requirements of this ordinance within 45 days of notification of noncompliance from the Village Building Inspector, Police Department or other Village officer or agent.
- D. **Requirements for Existing Devices.**
- 1) All Outdoor Woodburning Heating Units shall meet all applicable standards of the Environmental Protection Agency of the United States of America, the Department of Natural Resources, and the Wisconsin Department of Commerce governing air quality and emissions, including any amendments thereto adopted after the effective date of this ordinance.
  - 2) **Chimney specifications.** All chimneys for outdoor solid fuel fired heating devices shall have a minimum height of 20 feet measured from ground level.
  - 3) **Setback and Yard Requirements.** Outdoor Woodburning Heating Units are deemed accessory structures for purposes of zoning regulations.

- 4) Public Nuisance. Dense smoke, noxious fumes, gas and soot, cinders, or live sparks produced by Outdoor Woodburning Heating Units that interfere substantially with the comfortable enjoyment of life, health or safety of another person or the public may be declared a public nuisance by the Village Building Inspector, Police Department or other Village officer or agent, and ordered abated.
- 5) Penalty. Any person who constructs, erects or fails to remove, replace or modify any Outdoor Woodburning Heating Unit that does not meet the requirements of this ordinance shall forfeit \$25.00 per day for each day the non-complying unit remains on the premises.

E. Storage of Firewood. Firewood may be stored in any yard other than the front yard or corner sideyard, provided that it is stored in a neat, orderly, and secure stack not exceeding 6 feet in height, and the wood stack is not infested with rodents.

**SECTION 2:** This ordinance shall take effect after passage and publication as provided by law.

Approved and adopted this 7<sup>th</sup> day of March, 2005.

  
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Glenn A. Woulf, Village President

  
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Bev Noffke, Village Clerk/Treasurer

Date Published: March 9, 2005