

- 46 (3) Outdoor Wood Burning Unit/Outdoor Furnace: Includes an accessory structure or
47 appliance designed for the location ordinarily outside the principal structure and used to
48 transfer or provide heat via liquid or other means, by burning wood or other solid fuels,
49 for heating any principal or accessory structure on the premises.
- 50 (4) Inclusions: All outdoor wood burning units/outdoor furnaces.
- 51 (5) Exclusions: This does not include lawfully operated fire pits; open burning, barbeques,
52 fryers, grills or chimneys. This also does not include outdoor wood burning units/
53 outdoor furnaces that are within city or township jurisdictions with OWB ordinances.
- 54 (6) Location: The unit shall be located with due consideration to the prevailing wind
55 direction , terrain and:
- 56 a. No less than 200 feet from any residence not served by the furnace.
- 57 b. If unit is already located less than 200 feet to any residence not served by the
58 furnace, the stack shall be at least 2 feet higher than the peak of adjacent
59 properties.
- 60 c. If unit is located 200-500 feet from any residence not served by the furnace, the
61 stack height must be at least to the peak of adjacent properties.
- 62 d. The Planning and Zoning Committee, upon recommendation from the Board of
63 Health, may approve a lesser stack height on a case by case basis if necessary to
64 comply with manufacturer’s recommendations and if the smoke from the lower
65 chimney height does not create a hazard for neighbors. Any exception to
66 required height granted under this section is contingent upon the lower height not
67 being a hazard to neighboring residences and is subject to further modification by
68 the Planning and Zoning Committee.
- 69 e. If a complaint is filed, the department will conduct an investigation to determine
70 if additional modifications need to be made to the unit. If no additional
71 modifications can be made to the unit, and a health hazard exists, an order to
72 discontinue use will be issued.
- 73 (7) Permitted Fuel: Only untreated natural wood.
- 74 (8) Fuel Exclusions:
- 75 a. Rubbish or garbage including but not limited to food wastes, food wraps,
76 packaging, animal carcasses, paint or painted materials, furniture, composite
77 shingles, construction or demolition debris or other household or business waste.
- 78 b. Waste oil or other oily wastes except used oil burned in a heating device for
79 energy recovery subject to the restrictions in Chapter NR 590, Wisconsin
80 Administrative Code.
- 81 c. Asphalt and products containing asphalt.
- 82 d. Treated or painted wood including but not limited to plywood, composite wood
83 products or other wood products that are painted, varnished or treated with
84 preservatives.

- 85 e. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene
- 86 or urethane foam and synthetic fabrics, plastic films and plastic containers.
- 87 f. Rubber including tires and synthetic rubber-like products.
- 88 g. Newspaper, corrugated cardboard, container board, office paper and other
- 89 materials that must be recycled in accordance with the recycling regulations.
- 90 (9) Permit: A one-time permit is required for all outdoor wood burning units. The permit
- 91 application can be obtained at the Oneida County Planning and Zoning Department. Fees
- 92 are determined by the Planning and Zoning Committee.
- 93 (10) Dealers and sellers: OWB dealers and sellers must provide buyers with a legal notice
- 94 stating that: only untreated natural wood may be burned; installation is subject to the
- 95 distance and the stack height requirements stated above; and that the OWB, even if
- 96 meeting the above requirements, may not be used if the terrain is inappropriate and
- 97 renders the OWB to be a public health hazard.
- 98 (11) Existing Outdoor Wood Burning Unit: Any outdoor wood burning units in existence on
- 99 the effective date of this chapter shall be permitted to remain provided that the stack
- 100 height meets above requirements and a permit is obtained within one year of such
- 101 effective date.
- 102 (12) Enforcement: Any authorized member or representative from the Oneida County
- 103 Planning and Zoning Department or any authorized member or representative from
- 104 Oneida County Health Department is hereby designated as an enforcing officer of this
- 105 section and it shall be the duty of Corporation Counsel to prosecute any violators or
- 106 offenders.
- 107 (13) Right of Entry and Inspection: Any authorized representative who presents credentials
- 108 may inspect any property for the purpose of ascertaining compliance with the provisions
- 109 of this ordinance. If any owner or occupant of any premises shall refuse entry for
- 110 inspection purposes, the authorized representative may obtain a special inspection
- 111 warrant under 66.122, Wis.Stats.
- 112 (14) Suspension of Permit: A permit issued pursuant to this chapter may be suspended, by its
- 113 issuer, as determined to be necessary to protect the public health, safety and welfare of
- 114 the residents of Oneida County if the unit is emitting particulate matter higher than the
- 115 EPA standards.
- 116 (15) Violations and Penalties: Any person who violates, disobeys, neglects, omits, or refuses
- 117 to comply shall forfeit not less than \$25.00 nor more than \$250.00 for each offense,
- 118 together with the costs of prosecution, and in default of payment of such forfeiture and
- 119 costs of prosecution shall be imprisoned in the Oneida County Jail until said forfeiture
- 120 and costs are paid, but not to exceed thirty (30) days for each violation.

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Approved by the Board of Health Committee on this 4th day of September 2008.
Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

128 The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by
129 the Corporation Counsel, _____, Date: _____

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132 Offered and passage moved by: _____
133 Supervisor

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Supervisor

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149 Seconded by: _____

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152 _____ Ayes

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154 _____ Nays

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156 _____ Absent

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158 _____ Abstain

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161 _____ Adopted

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by the County Board of Supervisors this _____ day of _____ 2008.

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165 _____ Defeated

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Robert Brusio, Clerk

Andrew P. Smith, County Board Chair

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