

# **CHAPTER 7**

## **EXTERNAL FUEL-BURNING DEVICES**

BOROUGH OF WYALUSING  
ORDINANCE NO. 7

AN ORDINANCE CHAPTER NO. 7, EXTERNAL FUEL-BURNING DEVICES OF THE CODE OF THE BOROUGH OF WYALUSING, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

The Borough of Wyalusing hereby ordains and enacts as follows:

ARTICLE I

Regulation of the Installation of External Fuel-Burning Devices and External Heating Devices Designed to Provide Internal Heat or Energy

§ 1. Purpose and scope.

- A. Residences, commercial and industrial establishments situated within the Borough are entitled to clean air and environmental circumstances free of unreasonable dust, obnoxious odors, noxious fumes and smells, as well as an environment free of stored debris and storage of combustible fuels in adjacent or exposed exterior areas within densely populated areas.
- B. This regulation shall provide for the requirements and limitations of the installation of any exterior furnace or exterior burning device, the primary purpose of which is to convert combustible fuel into a heat or energy source for interior spaces for all residential, commercial and industrial districts.

§ 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**EXTERIOR FURNACE-** Any device, contrivance or apparatus or any part thereof which is installed, affixed or situated out-of-doors for the primary purpose of the combustion of fuel from which heat or energy is derived and intended to be directed there from by conduit or other mechanism into any interior space for the supply of heat or energy.

**FURNACE DEVICE, EXTERIOR -** Any contrivance, apparatus or part thereof, including a boiler, fire box, exchanger, grate, fuel gun, fuel nozzle, chimney, smoke

pipe, exhaust conduit and like devices used for the burning of combustible fuels for the creation of heat or energy from an exterior location into an interior location.

**§ 3. Permitted locations; installation standards; fuel limitations.**

- A. Any exterior furnace or furnace device, exterior shall be situated in any exterior location for the purpose of the combustion of any fuel for the creation of heat or energy into any interior space and any such system or component part thereof shall be permitted to be operated in any zone within the municipality.
- B. Standards for the installation of any exterior furnace or furnace device, exterior, in addition to any manufacturer's recommended installation requirements, shall also require the following:
  - (1) Installation upon a nominal six-inch thick permanent, reinforced cement pad in such dimension so as to allow a minimum of six inches of exposed surface area along the perimeter of the pad.
  - (2) Installation of a smokestack to a minimum height exceeding four feet in elevation and higher than any neighboring structure, building or wall that is adjacent to the location of the property where the exterior furnace is located. The location of the exterior furnace must comply with all setback regulations from all property lines and comply with all separation distances from other structures on the premises as may be imposed by the Zoning Code of the Borough of Wyalusing and the Building Code of the State of Pennsylvania.
  - (3) Installation of any electrical or plumbing apparatus or device used in connection with the operation of an exterior furnace shall be in conformity with all applicable electrical and plumbing codes and, in the absence of such code, in conformity with the manufacturer's installation specifications.
  - (4) Any exterior furnace or furnace device, exterior, installation abutting another property shall maintain a setback a minimum of 20 feet distance from the adjoining property line on all sides.
- C. Fuel substances permitted for combustion in an exterior furnace installation shall be limited to the following:
  - (1) Natural gas, propane, home heating oil, coal and wood.
- D. Fuel substances prohibited for combustion in an exterior furnace installation shall include the following:

(1) Industrial waste, rubber, plastic, used motor oil, toxic chemicals, contaminated waste, yard waste, household garbage, cardboard and wastepaper, animal waste and any material prohibited for combustion by federal or state statute.

E. No exterior furnace shall be utilized in any manner as a waste incinerator.

#### § 4. Requirements of installation and maintenance.

To the fullest extent required by federal or state statutes, rules, regulations and in accordance with the manufacturer's specifications, the installation, maintenance and use of any exterior furnace or furnace device, exterior, as herein defined, shall be installed, maintained and generated in conformity therewith.

#### § 5. Nonapplicability to interior systems.

This chapter shall in no way be construed nor is the same intended to prohibit the installation, operation or use of exterior chimneys, stove pipes or similar contrivances that are otherwise in conformity with other federal or state laws, rules or regulations constituting any part of any interior furnace system or interior stove system or operation, or any system that provides the exhaust of waste heat, smoke or similar substances from interior spaces.

#### § 6. Operation of Outside Solid Fuel Burning Device.

Such units shall be installed and operated in a manner as will not allow smoke or fumes to enter buildings on surrounding properties.

#### §7. Violations and penalties

Any person who shall violate any provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, plus costs, and in default of payment thereof to imprisonment for a term not to exceed 30 days.

#### § 8. Severability.

In the event that any individual section or provision within this article shall be found invalid, the invalidity shall pertain only to the specific section, and all other aspects of this article shall remain in full force and effect.

THIS ORDINANCE shall take effect immediately upon adoption.