

Chapter 1472
Free Standing Solid Fuel Burning Furnaces

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CROSS REFERENCES
Michigan Building Code - see B. & H. Ch. 1420
Open Burning - see Gen. Off. Sec. 674.01
Fire Protection Code - see F.P. Ch. 1610

1472.01 DEFINITIONS

The term “free-standing solid fuel burning furnace” shall mean any device or structure that:

- A. Is designed, intended, or used to provide heat and/or hot water to any residence or other structure; and
- B. Operates by the burning of wood or other solid fuel; and
- C. Is not located within a residence or other structure for which it provides heat.
- D. Excluded from the definition of a free-standing solid fuel burning furnace is any Industrial Application which otherwise meets zoning or other land use regulations for the district where located.

(Ord. 05-03 adopted 5-3-05)

1472.02 PROHIBITION

It shall be unlawful to install or operate a free-standing solid fuel burning furnace, and to cause or permit the installation or operation of a free-standing solid fuel burning furnace, within the City. (Ord. 05-03 adopted 5-3-05)

1472.03 CONFLICTS

This ordinance shall not be construed as an exemption or exception to any other provision of these Codified Ordinances, including the Building Code, Property Maintenance Code, Fire Prevention Code, Zoning Ordinance or any other Code or ordinance. In the event of a conflict between the provisions of this section and any other ordinance or other provision of law, the more restrictive provision shall apply.

(Ord. 05-03 adopted 5-3-05)

1472.04 EXISTING USES

This section shall not apply to any free-standing solid fuel burning furnace that was installed, connected, and operating as of the effective date of this ordinance. However, this section shall not be deemed as specific authorization for the use of any preexisting free-standing solid fuel burning furnace and shall not be deemed to bar, limit, or otherwise affect the rights of any

person to take private legal action regarding damage or nuisance caused by the use of a free-standing solid fuel burning furnace. (Ord. 05-03 adopted 5-3-05)

1472.05 VIOLATIONS; DECLARATION OF NUISANCE

Any free-standing solid fuel burning furnace installed or operated in violation of this section is hereby declared to be nuisance per se. (Ord. 05-03 adopted 5-3-05)

1472.99 PENALTY

Whoever violates any provision of this chapter is guilty of a civil infraction in accordance with Section 202.99. (Ord. 05-03 adopted 5-3-05)