

**Town of Farmington**  
**ORDINANCE # 1 -2006**

**AN ORDINANCE TO REGULATE "OUTDOOR WOOD-FIRED FURNACES"  
IN THE TOWN OF FARMINGTON, LA CROSSE COUNTY, WISCONSIN.**

The Town Board of Farmington does ordain as follows:

**Section 1. OUTDOOR WOOD-FIRED FURNACES.**

(1) **PURPOSE.** This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Town of Farmington due to the emissions from outdoor wood-fired furnaces.

(2) **APPLICABILITY.** This ordinance applies to all outdoor wood-fired furnaces within the Town of Farmington installed or replaced after adoption of this ordinance.

(3) **DEFINITIONS.**

(a) "Clean Wood" means natural wood which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

(b) "Outdoor Wood-fired Furnace" means a wood-fired furnace, stove or boiler that is not located within a building. Such furnace shall be U.L. Listed or equivalent certification by a third party organization.

(c) "Refuse" means any waste material except clean wood.

(4) **INSTALLATION AND USE OF OUTDOOR WOOD-FIRED FURNACES.**

(a) On land zoned Exclusive Agriculture or Agricultural District "A", the outdoor wood-fired furnace shall be installed no closer than 100 feet from the property line. On land zoned Residential, the outdoor wood-fired furnace shall be installed as far from the property line as practicable, and with written permission of adjoining landowners. Options of requiring a smoke stack to the height of the eaves of the building it serves, or other modifications to reduce potential operational problems may be required by the town. Lands zoned Commercial or Industrial, the owners shall present plans to the Town Board who shall make the decision whether to permit installation or not.

(b) If the outdoor wood-fired furnace is located within a permitted accessory building and vented in a conventional manner, this ordinance does not apply.

(c) Only clean wood, paper and cardboard may be used in the furnace.

(d) The owner of the outdoor wood-fired furnace shall obtain a permit from the Farmington Volunteer Fire Department before installation and pay a permit fee of \$30(thirty dollars). The Fire Department's Fire Inspectors shall have authority to issue permits and determine compliance.

(5) **RIGHT OF ENTRY AND INSPECTION.** An officer, agent, employee or representative of the Town of Farmington, who presents credentials, may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance. If the owner or occupant of the premises denies access to the property for this purpose, a special inspection warrant may be obtained in accordance with section 66.0119, Wis. Stats.

(6) **EXISTING NONCONFORMING OUTDOOR WOOD-FIRED FURNACES.** The lawful use of a nonconforming outdoor wood-fired furnace existing at the time of the adoption or amendment of this ordinance may be continued although such furnace does not conform to the provisions of this ordinance. However, the use of a nonconforming outdoor wood-fired furnace shall not be a public nuisance or cause a human health hazard prohibited by sections 10.01,

10.02, or 11.29 of the General Code of La Crosse County.


(7) ENFORCEMENT AND PENALTIES.

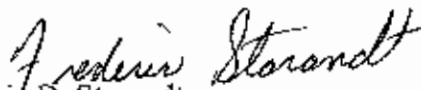
(a) The Fire Inspectors are authorized to enforce the provisions of this ordinance.

(b) The penalty for violation of any portion of this ordinance shall be a forfeiture of not less than \$25 or more than \$250 plus cost of prosecution. Penalties are doubled for second and subsequent offenses.


**Section 2.** This Ordinance shall take effect the day after passage and publication.

TOWN OF FARMINGTON

By:   
Michael J. Hesse,  
Chairman, Town of Farmington

By:   
Frederic D. Storandt  
East Supervisor, Town of Farmington

By:   
Jack A. Glennie  
West Supervisor, Town of Farmington

Attest:   
Sidney Hetland  
Clerk, Town of Farmington

PASSED:

PUBLISHED: