

**TOWNSHIP OF LIBERTY
COUNTY OF JACKSON, STATE OF MICHIGAN**

Liberty Township Ordinance #26

An Ordinance regulating the installation and use of outdoor wood-fired hydronic heaters

THE TOWNSHIP OF LIBERTY HEREBY ORDAINS:

Section 1. Title.

This ordinance shall be known as the “Outdoor Wood-Fired Hydronic Heaters Ordinance.”

Section 2. Purpose

The purpose of this ordinance is to adopt a code and rules governing installation and use of wood-fired hydronic heaters within the Township of Liberty.

Section 3. Provisions

An outdoor wood-fired hydronic heater may be installed and used in the Township of Liberty only in accordance with all of the following provisions:

- A.** The outdoor wood-fired hydronic heater shall not be installed and used in an area zoned RL-1 (Lake Residential) or RS-1 (Suburban Residential), unless the heater meets the Phase II emission standards, as set forth in Section 4 of this regulation.
- B.** The outdoor wood-fired hydronic heater shall not be used to burn pressure treated wood, painted wood, particleboard, household refuse, or yard waste.
- C.** If neither Phase I or Phase II emission standards as set forth in Section 4 of this Ordinance are met by the outdoor wood-fired hydronic heater, then the heater shall not be located within 500 feet of the nearest residence which is not on the same property as the wood-fired hydronic heater.
- D.** Outdoor wood-fired hydronic heaters that meet the Phase I emission standards, as set forth in Section 4 of this regulation, shall be located at least 300 feet from the nearest residence which is not on the same property as the wood-fired hydronic heater.
- E.** Outdoor wood-fired hydronic heaters that meet the Phase II emission standards, as set forth in Section 4 of this regulation, are not subject to the distance requirements noted in Sections 3C and 3D above.
- F.** Outdoor wood-fired hydronic heaters shall have a chimney height which prevents the smoke from creating a nuisance for neighbors and which allows effective operation of the unit.
- G.** The outdoor wood-fired hydronic heater shall be placed to the rear or side of the existing structure and shielded from view of neighboring properties.
- H.** An installation permit shall be obtained from the township prior to installation of any outdoor wood-fired hydronic heater. For the purpose of this subsection, installation permits may include any of the following: zoning, electrical or mechanical permits.

- I. An outdoor wood-fired hydronic heater must be a minimum distance of 10 feet from any other structure or building.
- J. An outdoor wood-fired hydronic heater shall be installed a minimum distance of 10 feet from any property line.
- K. Installation must be consistent with the safety guidelines of Consumers Energy for overhead electrical power lines.

Section 4: Particulate Matter Emission Standard for Newly Installed Units

- A. For the purposes of this ordinance, “certified” shall mean the outdoor wood-fired hydronic heater that has been tested by an EPA accredited third party laboratory to verify that the unit meets Phase I or Phase II emissions standards listed herein.
- B. Uncertified units must be installed according to the setback listed in Section 3C of this regulation.
- C. Phase I Emission Standard: Units which have been certified to meet a particulate matter emission limit of 0.44 pounds per million British thermal units (lb/MMBtu) heat input must be installed according to the setback requirements listed in section 3D of this regulation.
- D. Phase II Emission Standard: Units which have been certified to meet a particulate matter emission limit of 0.32 lb/MMBtu heat output are not subject to the 500 or 300 feet setback requirements listed in sections 3C and 3D of this regulation.
- E. “Newly Installed Units” includes replacement units for existing units.
- F. Units that are relocated must obtain permits to meet zoning, electrical and mechanical inspection requirements.

Section 5: Outdoor Wood-fired Hydronic Heaters Installed Prior to this Ordinance

All outdoor wood-fired hydronic heaters, including those in existence prior to the adoption of this regulation, shall be subject to and shall remain consistent with Liberty Township Nuisance Ordinances, including Section 5.8.1—Performance Standards.

Section 6: Definition

For the purposes of this ordinance, an outdoor wood-fired hydronic heater shall be deemed a furnace and not a structure.

Section 7: Penalties

Any person in violation of any of the provisions of this Ordinance shall be subject to punishment according to applicable township ordinance.

Section 8: Effective Date

This Ordinance shall be published in the manner provided by law and shall take immediate effect.

Items for Reference (Not part of ordinance)

Current EPA List of Cleaner Burning OWHH: available online at

www.epa.gov/woodheaters/models.htm

Central Boiler—Model E-Classic 1200 (particulate emissions 0.33 lbs/million BTU heat input)

Central Boiler—Model E-Classic 2300 (particulate emissions 0.20 lbs/million BTU heat input)

Current List of EPA OWHH Program Partners: available online at

www.epa.gov/owhh/partners.htm)

Aqua-Therm, LLC

Black Bear/Clean Wood Heat, LLC

Burns Best

Central Boiler

Freedom Outdoor Furnace, LLC

Hardy Manufacturing Co, LLC

Heatmor, Inc.

HeatSource1

Mahoning Outdoor Furnace, Inc

Northland Distributing and Manufacturing, Inc

Pro-Fab Industries, Inc.

Sequoyah Paradise

Taylor Manufacturing, Inc

Timber Ridge, Inc.

Wood Doctor

Woodmaster/Northwest Manufacturing, Inc.

These are manufacturers who have signed an EPA partnership agreement to develop cleaner OWHH units. This does not mean that they have met certain standards yet nor that all models of their stoves would meet EPA recommendations.