

VILLAGE OF DELANSON
LOCAL LAW #1-2008

A LOCAL LAW TO PROHIBIT OUTDOOR WOOD BURNING FURNACES IN THE
VILLAGE OF DELANSON

Be it enacted as by the Board of Trustees of the Village of Delanson as follows:

Section 1. OUTDOOR WOOD BURNING FURNACES

1. Purpose.

It is generally recognized that the types of fuel used and the scale and duration of burning by outdoor wood burning furnaces creates noxious and hazardous smoke, soot, fumes, odors and air pollution, can be detrimental to citizens' health, and can deprive neighboring residents of the enjoyment of their property or premises. Therefore, with the adoption of this law, it is the intention of the Village of Delanson Board of Trustees to establish and impose a prohibition upon the construction and operation of outdoor wood burning furnaces within the limits of the Village for the purpose of securing and promoting the public health, comfort, convenience, safety and welfare of the Village and its residents.

2. Definitions.

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

OUTDOOR WOOD BURNING FURNACE – Also known as Outdoor Wood Boilers. An accessory structure, designed and intended, through the burning of wood, for the purpose of heating the principal structure or any other site, building, or structure on the premises.

3. Construction and operation prohibited.

The construction and operation of outdoor wood burning furnaces are hereby prohibited within the Village of Delanson.

Exception: This law shall not apply to Outdoor Wood Burning Furnaces existing as of November 1, 2008.

4. Enforcement.

The Village of Delanson Building Inspector is hereby authorized to enforce the provision of this law.

5. Penalties for offenses.

Any person, firm, partnership, association or corporation who shall violate any provision of this chapter shall be guilty of a violation and shall, upon conviction, be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Each day's continued violation shall constitute a separate and distinct offense. Any furnace constructed or installed in violation of this chapter shall be removed.

6. Severability.

The provisions of this law are severable, and the invalidity of a partial provision shall not invalidate any other provision.

Section 2.
Effective.

This law shall take effect immediately.