

**RESOLUTION OF
THE BOARD OF SELECTMAN OF THE TOWN OF SCOTLAND**

RESOLVED, that the Board of Selectmen of the Town of Scotland hereby adopt the following resolution:

The Building Official of the Town of Scotland is hereby directed to:

1. Require Building Permits for any Outdoor Wood Burning Furnace, as defined by Conn. Gen. Stats. §22a-174k(a), where such Outdoor Wood Burning Furnace would require a Building Permit under the applicable provisions of the Connecticut Building Code.
2. Provide to any person seeking a Building Permit for an Outdoor Wood Burning Furnace a copy of the Notice attached to this Resolution, and require the Building Permit applicant to sign where indicated. The applicant shall be provided with one copy of the Notice, and the signed copy shall be retained in the records of the Building Official.
3. The Building Official shall cooperate with the Connecticut Department of Environmental Protection in its efforts to administer and enforce Conn. Gen. Stats. §22a-174k.

Dated at Scotland, Connecticut, this _____ Day of September, 2007.

NOTICE

TO ALL PERSONS APPLYING FOR A BUILDING PERMIT FOR AN OUTDOOR WOOD BURNING FURNACE:

Conn. Gen. Stats. §22a-174k(a) defines a "Wood Burning Outdoor Furnace" as follows:

For purposes of this section, "outdoor wood-burning furnace" means an accessory structure or appliance designed to be located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or jacuzzi water. "Outdoor wood-burning furnace" does not include a fire pit, wood-fired barbecue or chiminea.

If you install a Wood Burning Outdoor Furnace after July 11, 2005, it must comply with the following requirements of Conn. Gen. Stats. §22a-174(b):

(A) Installation of the outdoor wood-burning furnace is not less than two hundred feet from the nearest residence not serviced by the outdoor wood-burning furnace;

(B) Installation of the chimney of the outdoor wood-burning furnace is at a height that is more than the height of the roof peaks of the residences that are located within five hundred feet of the outdoor wood-burning furnace, which residences are not serviced by the outdoor wood-burning furnace, provided the chimney height is not more than fifty-five feet;

(C) No other materials are burned in the outdoor wood-burning furnace other than wood that has not been chemically treated; and

(D) Installation and operation of the outdoor wood-burning furnace is in accordance with the manufacturer's written instructions, provided such instructions do not conflict with the provisions of this section.

Violation of these provisions will expose you to a civil penalty of \$75 per day.

After installation, the operation of the Outdoor Wood Burning Furnace shall comply with the following requirements of State Regulations Section 22a-174-18(c)(2):

(a) No visible smoke from the furnace can cross your property line at ground level.

(b) No visible smoke may cross your property line which diminishes the health,

safety, or enjoyment of people using a building beyond the property line;

(c) The plume from the stack shall not have opacity exceeding 20% for more than 6 minutes or exceed 40% for more than 1 minute (a solid plume is 100% opacity).

(d) No odors from the furnace shall cross the property line.

Violation of these provisions may result in civil penalties of up to \$25,000 and may be assessed for each day of violation under Conn. Gen. Stats. §22a-175, in addition to injunctive relief and other remedies available to the Connecticut Department of Environmental Protection.

For further information, you may contact the Connecticut Department of Environmental Protection at 860-424-3702.

THE ISSUANCE OF A BUILDING PERMIT BY THE SCOTLAND BUILDING OFFICIAL DOES NOT CONSTITUTE ANY FINDING OF COMPLIANCE WITH THE PRECEDING STATE REQUIREMENTS, OR ANY OTHER APPLICABLE LAW OR REGULATION. IT INDICATES COMPLIANCE ONLY WITH THE BUILDING CODE OF THE STATE OF CONNECTICUT. IT IS YOUR RESPONSIBILITY TO ASSURE THAT INSTALLATION AND OPERATION OF A WOOD BURNING FURNACE IS IN COMPLIANCE WITH APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS.

I acknowledge that I have received a copy of this Notice, and understand its provisions.

_____ (Building Permit Applicant & Property owner)

If applicant is not the property owner:

I certify that I have, or will within 48 hours, provide a copy of this Notice to the owner of the property upon which the outdoor wood burning furnace is to be installed.

_____ (Building Permit Applicant)

G:\WP60\Scotland\Town of Scotland\RESOLUTION OF BOS re Wood Burning Furnace Permits.wpd