

WELLS COUNTY ORDINANCE NO. 2009- 11

An Ordinance Regulating the Use of Outdoor Wood-Fired Boilers

WHEREAS, there have been complaints pertaining to the use of outdoor wood-fired boilers, particularly where neighbors live in close proximity to one another; and

WHEREAS, outdoor wood-fired boilers may, if used improperly, be of some danger to neighbors and their property.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Wells County, Indiana, as follows:

1. An outdoor wood-fired boiler may be installed and used in Wells County only in accordance with all the following provisions:
 - A. The outdoor wood-fired boiler may used only in accordance with the manufacturer's instructions.
 - B. The outdoor wood-fired boiler shall not be used to burn refuse.
 - C. The outdoor wood-fired boiler shall be located at least one hundred feet (100') from the nearest building which is not on the same property as the outdoor wood-fired boiler.
 - D. If there are any residences within one hundred feet (100') the chimney shall also extend at least as high above the ground surface as the height of the roof of all such residences.
2. A violation of this Ordinance shall be deemed a Class A infraction. Any person found to be in violation of this Ordinance shall be responsible for all attorney fees and other costs incurred by Wells County.
3. This Ordinance may be enforced by all enforcement officers in Wells County as well as the Wells County Attorney and the Wells County Prosecutor or any deputy or appointee there of.
4. This Ordinance shall take effect upon passage and publication as provided by law.

ALL AS ORDAINED THIS 6 DAY OF April, 2009.

WELLS COUNTY COMMISSIONERS:

Paul A. Bonham
Paul Bonham

Kevin A. Woodward
Kevin Woodward

C. Scott Mossburg

ATTEST:



Laura Brubaker, Auditor

This Ordinance prepared by TRENT M. PATTERSON, Attorney #10657-90,
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