

ORDINANCE NO. 10-02

**AN ORDINANCE ADDING ARTICLE XXXI, OUTDOOR WOOD BURNING FURNACES, TO THE 2008 VILLAGE OF THORNVILLE ZONING ORDINANCE.**

WHEREAS, on 3-8-10, 2008 Council passed Ordinance Number 10-02, thereby adopting the 2008 Village of Thornville Zoning Ordinance ("2008 Zoning Ordinance"); and

WHEREAS, as a result of administrative error, the provisions contained in Chapter 96.69 of the 2002 Village of Thornville Zoning Ordinance prohibiting the construction, installation, establishment, operation or maintenance of an outdoor wood burning furnace within the corporate boundaries of the Village was inadvertently removed from the 2008 Village of Thornville Zoning Ordinance; and

WHEREAS, Council has hereby determined that it is necessary for the health, safety and well-being of the residents of the Village for the 2008 Zoning Ordinance to contain those provisions prohibiting wood burning furnaces within the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF THORNVILLE, OHIO, THAT:

Section I:

Article XXXI of the 2008 Village of Thornville Zoning Ordinance shall be added as follows:

31.01 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, it is the intention of the Village of Thornville to establish and impose restrictions upon the construction and operation of outdoor wood furnaces within the limits of the Village for purposes of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the Village and its inhabitants.

31.02 DEFINITION

For the purposes of the Zoning Ordinance, an outdoor wood burning furnace shall be defined as any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An outdoor wood burning furnace may also be referred to as an outdoor wood burner, outdoor wood boiler or outdoor wood-fired hydronic heater.

31.03 REGULATIONS FOR OUTDOOR WOOD FURNACES

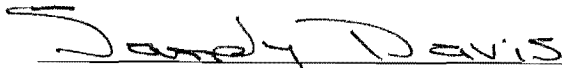
No person shall construct, install, establish, operate or maintain, or cause the construction, installation, establishment, operation or maintenance, of an outdoor wood furnace within the Village of Thornville.

Section II:

This Ordinance shall take effect at the earliest time provided by the laws of the State of Ohio.

Passed this 8<sup>th</sup> day of March, 2010.

ATTEST:

  
Sandy Davis, Clerk of Council

  
Beth A. Patrick, Mayor

APPROVED AS TO FORM:

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D. Michael Crites, Village Solicitor