



By-Law No. 2012-45

Being a By-law to regulate the location and installation of wood burning appliances for the Corporation of the Township of Dubreuilville.

WHEREAS Section 125 of the Municipal Act, S.O. 2001, Chapter 25, as amended, permits councils of local municipalities to pass by-laws to regulate the installation and location of heating and/or cooking appliances; and

WHEREAS the Council of the Corporation of the Township of Dubreuilville deems it necessary to pass a by-law to regulate the installation and location of wood burning appliances within the geographical limits of the Corporation of the Township of Dubreuilville;

THEREFORE be it resolved that the Council of the Corporation of the Township of Dubreuilville enacts as follows:

1. In this By-Law:
 - i) **“Accessory”** means a use, building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith; and
 - ii) **“Appliance”** means a wood burning appliance to heat and/or cook using solid fuel for combustion; and
 - iii) **“Town”** means the Corporation of the Township of Dubreuilville.
2. No person shall install an appliance unless it is certified by the Canadian Standards Association or other accredited testing laboratories.
3. No person shall erect or install an appliance unless a permit has been obtained from the Chief Building Official.
4. An application to erect or install an appliance shall be in the form of an application for a building permit and the fees applicable to building permits within the Township of Dubreuilville from time to time shall apply equally to permits under this by-law.
5. Each application will be dealt on an individual basis and may not guarantee approval.
6. No person shall install an appliance other than in Residential, Rural, or Commercial/Industrial zones as set out in the Corporation of the Township of Dubreuilville Zoning By-Law No. 88-06 as amended.
7. Every person who installs an appliance shall ensure the appliance is supported and surrounded by the proper constructed materials that are in accordance with the manufacturer’s installation instructions or recommendations.

8. The chimney for the appliance shall be equipped with a spark arrestor which is recommended by the manufacturer where necessary.
9. Every person shall locate the appliance (*in the case of outdoor wood burning appliance*):
 - i) as per manufacturer's installation manual, but not less than 10 feet from any property line (***where there is no residentially zone property abutting***);
 - ii) not less than 50 feet from the principal residence and the principal residence ***or future principal residence*** on an adjacent property,
 - iii) as per the manufacturer's installation manual but not less than 10 feet from an accessory building;
 - iv) only in the rear or side yard;
 - v) the chimney height shall be not less than the height of the roof of the dwelling unit to provide proper dissipation of smoke; and
 - vi) any anti-freeze that used within the enclosed system shall be environmentally friendly.
10. No person shall store fuel for the appliance closer than recommended in the manufacturer's installation manual but not less than 10 feet from an appliance.
11. No person shall burn any material other than wood or wood by-products in an appliance.
12. Every person who contravenes any provision of this by-law is guilty of an offence and is subject to the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
13. By-Law No. 2012-42 is hereby repealed.

READ and PASSED this ____ day of _____, 2012.

MAYOR

CLERK