

GULICH TOWNSHIP  
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ALEX E. SOLAN - CHAIRMAN  
WILLIAM B. REED - SUPERVISOR

KEVIN D. PHILLIPS - SUPERVISOR  
ANDREW M. POPYACK - SECRETARY/TREASURER

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OUTDOOR FURNACE PERMIT APPLICATION      DATE \_\_\_\_\_

APPLICANT'S NAME \_\_\_\_\_

APPLICANT'S ADDRESS \_\_\_\_\_

\_\_\_\_\_

BRIEF SITE PLAN DRAWING:

HEIGHT \_\_\_\_\_ AND WIDTH \_\_\_\_\_ OF THE FURNACE

HEIGHT \_\_\_\_\_ AND WIDTH(DIAMETER) \_\_\_\_\_ OF CHIMNEY

APPLICATION FEE: \$10

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GULICH TOWNSHIP

TOWNSHIP OF GULICH  
COUNTY OF CLEARFIELD  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 2009- 1

AN ORDINANCE OF THE TOWNSHIP OF GULICH, CLEARFIELD COUNTY, PENNSYLVANIA, REGULATING OUTDOOR FURNACES WITHIN THE TOWNSHIP, PROVIDING FOR STANDARDS OF OPERATION, LOCATION, AND PENALTIES FOR VIOLATION THEREOF.

**WHEREAS**, outdoor furnaces are increasingly being used as a primary method of heating homes and other buildings in the winter and providing hot water year round. The basic design of some outdoor furnaces can cause fuel to burn incompletely, resulting in excessive smoke and high particulate emissions. Problems are created when other materials such as wet wood and trash are burned. Further, the short stack heights of some outdoor furnaces and reduced draft may fail to disburse smoke adequately resulting in concentrated pollution at lower heights, impacting residents and neighbors. As is true for many similar emissions, smoke from outdoor furnaces can cause a range of harmful health effects and reduced enjoyment of adjoining properties.

**WHEREAS**, the Second Class Township Code (53 P.S. Section 65101, et seq., as amended), particularly Sections 1506 (general powers), 1527 (public safety), 1529 (nuisances), and 1601(c)(1)(2)(et al) (enforcement of ordinances) grants the Township power to enact ordinances for the health, welfare, and safety of the Township and to establish penalties for violation of such ordinances.

**NOW THEREFORE, BE IT ORDAINED, ADOPTED, and ENACTED** by the Board of Supervisors of Gulich Township, Clearfield County, Pennsylvania, as follows:

Section 1 – Title: This Ordinance shall be known as the “Gulich Township Outdoor Furnace Ordinance”.

Section 2 – Definitions: The following words or phrases shall have the meaning below:

- a. Adjacent Property – The property bordering the property upon which the outdoor furnace is located.
- b. Chimney – Any tube or flue attached to an outdoor furnace for the purpose of channeling fumes, smoke, and odors from an outdoor furnace.
- c. Outdoor Furnace – Any equipment, device, appliance, or apparatus, or any part thereof which is installed, fixed or situated outdoors and is primarily hand-loaded for the purpose of combustion and fuel to produce heat or energy

- used as a component of a heating system providing heat for any interior space or water source.
- d. Person – Any individual, partnership, association, trust, corporation, company, or other entity recognized by law as subject to rights and duties.
  - e. Smoke – Any bi-product, whether visible or not visible, produced by the combustion or burning of any material when operating an outdoor furnace.
  - f. Township – Gulich Township, Clearfield County, Pennsylvania.

Section 3 – Permit Requirements.

- a. Existing Unit. Any person who wishes to continue using an outdoor furnace installed prior to the effective date of this Ordinance shall apply for a permit from the Township within ninety (90) days of the effective date of this ordinance.
- b. New Units. No person shall install or cause to be installed an outdoor furnace after the effective date of this Ordinance without first obtaining a permit from the Township.
- c. Permit Application. The permit application shall be issued on a form provided by the Township which shall include the following:
  - i. Name and address of the property owner where the outdoor furnace is to be installed or erected.
  - ii. A site plan drawing showing the location of the outdoor furnace and other structures on the property with the footage between the outdoor furnace and other structures and the footage between outdoor furnace and property boundary lines.
  - iii. The height and width of the outdoor furnace and the height and width or diameter of the chimney.
  - iv. A copy of the manufacturers instructions, specifications and recommendations.
  - v. All permits shall be accompanied with payment of the permit application fee. The applicable fee shall be established by Resolution of the Township Supervisors from time to time. The initial fee shall be Ten and 00/100 (\$10.00) Dollars.

Section 4 – Regulations for Outdoor Furnaces. Outdoor furnaces shall be installed and used in accordance with the following requirements and regulations:

- a. An outdoor furnace must be installed at least fifty (50') feet from all boundary lines of the property.
- b. The outdoor furnace must have a chimney of a height of at least twenty (20') feet which shall be safely constructed and secured.
- c. The following fuels are strictly prohibited:
  - i. Wood that has been painted, varnished, or coated with similar material and/or has been pressure treated with preservatives and/or contains resins or glues as in plywood or other composite wood products.



- ii. Solid waste or garbage, including but not limited to food waste, food packaging, and food wraps.
  - iii. Any plastic materials including but not limited to nylon, PVC, ABS, Poly-styrene or urethane foam, synthetic fibers, plastic films and plastic containers.
  - iv. Rubber, including tires or other synthetic rubber-like products.
  - v. Any other materials not permitted or recommended by the manufacturer, the Pennsylvania Department of Environmental Protection, or the US Environmental Protection Agency.
- d. All outdoor furnaces shall be installed, operated and maintained in compliance with manufacturers instructions and guidelines or in compliance with this Ordinance whichever is more stringent.
  - e. All outdoor furnaces shall comply with any emission standards of the US Environmental Protection Agency and the Pennsylvania Department of Environmental Protection.
  - f. If the design or use of any outdoor furnace causes smoke to enter any structure or building on an adjacent property, then the Township may require the chimney to be of a greater height.
  - g. If the design or use of any outdoor furnace causes the encroachment of smoke upon an adjoining property which unreasonably interferes with the comfortable enjoyment of it by its occupants, then the Township may require the chimney to be of a greater height.
  - h. All ashes, refuse or waste that is accumulated after burning of the solid fuel shall be disposed of in a proper manner as approved by the Township or the Pennsylvania Department of Environmental Protection.
  - i. Any outdoor furnace that is damaged or malfunctions shall not be used until proper repairs are made to meet the manufacturers recommendations and requirements of this Ordinance.

Section 5 – Existing Outdoor Furnaces. All existing outdoor furnaces shall have ninety (90) days from the effective date of this Ordinance to come into compliance with this Ordinance. Existing outdoor furnaces shall not be required to comply with Section 4(a) of this Ordinance unless the Township is satisfied that the outdoor furnace can be moved in a reasonable manner without excessive expense or damage.

Section 6 – Right of Entry and Inspection. The Township, by any Supervisor or any other authorized agent of the Township shall have the right to enter the property that has a working outdoor furnace to inspect the outdoor furnace for compliance with the provisions of this Ordinance.

Section 7 – Enforcement and Penalties.

- a. In the event of any violation of this Ordinance, written notice shall be given stating the nature of the violation and that if correction of the violation does not occur within fifteen (15) days from the date of the notice that enforcement as provided for hereinafter may occur.

b. Violations of any provisions of this Ordinance shall be a summary offense enforceable by action brought before a district justice in accordance with Section 1601 of the Second Class Township Code (53 P.S. Section 66601) in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Upon conviction, a person shall be sentenced to pay a fine of not less than One Hundred (\$100) Dollars or more than One Thousand (\$1,000) Dollars plus costs of prosecution. Each day that a violation occurs shall be deemed to be a separate offense under this Ordinance.

In default of payment of any fine the person convicted may be imprisoned for a period of not more than thirty (30) days for each violation.

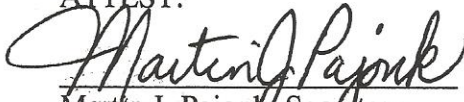
Section 8 – Severability. If any provision of this Ordinance be found to be unconstitutional or otherwise illegal or in any manner unenforceable the remaining sections or provisions of this Ordinance shall remain in full force and effect.

Section 9 – Repealer. All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

Section 10 – Effective Date. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 1st day of OCTOBER, 2009.


ATTEST:

  
Martin J. Pajonk, Secretary

“Seal”

GULICH TOWNSHIP BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Alex E. Solan, Chairperson

By:   
Charles B. Burns, Vice-Chairperson

By:   
Kevin D. Phillips, Supervisor