

Chapter 44

HEATING APPARATUS

ARTICLE I

Coal-burning and Woodburning Stoves

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[HISTORY: Adopted by the Board of Trustees of the Village of Liberty as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention -- See Ch. 33.
Heat in buildings -- See Ch. 43.
Housing standards -- See Ch. 48.

ARTICLE I

Coal-burning and Woodburning Stoves

[Adopted 11-17-1980 by L.L. No. 3-1980]

§ 44-1. Permit required. [Amended 3-2-1995 by L.L. No. 2-1995]

It shall be unlawful for anyone to install the following heating apparatus without obtaining a permit therefor, excluding one-family homes.

- A. Indoor Coal-burning, woodburning, or pellet stoves. **[Amended 4-23-2008 by L.L. No. 1-2008]**
- B. Oil burners and the fuel tanks used in connection therewith.
- C. Gas burners and the fuel tanks used in connection therewith.
- D. Domestic hot water fuel or gas heaters and the fuel tanks used in connection therewith.

§ 44-2. Prohibition against outdoor coal-burning and woodburning stoves.¹ [Added 4-23-2008 by L.L. No. 1-2008]

Outdoor coal-burning and woodburning stoves are hereby prohibited to be used in the Village of Liberty from April 1 through November 1 each year.

§ 44-3. Compliance required; standards.

Before such permits are issued, the applicants must comply with the following:

- A. Stoves.
 - (1) Stoves are to be of quality workmanship, such as sturdy parts well put together, airtight unit and a tight or gasketed door.
 - (2) Stove placement should be as close as possible to the chimney inlet.
 - (3) Adequate clearance must be maintained between the stove and any combustible surface; 36 inches or 18 inches with the protection of a wall with one-fourth-inch asbestos millboard with a one-inch airspace from the wall being protected.

¹ Editor's Note: Former § 44-2. Fee, was repealed 3-2-1995 by L.L. No. 2-1995.

- (4) Make sure the stove is installed in a manner that will permit access to both the flue pipe and the chimney flue for periodic cleaning necessary to remove soot and creosote buildups on the interior surfaces.

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- (5) Fireplace inserts are to be of the approved type and installed to factory specifications.
- B. Clearances. All floor surfaces under the stove, except concrete, clay, tile or ceramic, must be protected from heat. This protection should extend under the stove and outward for a distance of six (6) to twelve (12) inches on all but the loading side. Protection should extend eighteen (18) inches outward on the loading side. The airspace under the stove should be at least four (4) inches.
- C. Stovepipe installation.
- (1) The maximum length of stovepipe connecting the stove to the chimney inlet should not exceed eight (8) to ten (10) feet, and no more than two (2) ninety-degree elbows should be installed in the stovepipe.
 - (2) The stovepipe should clear all combustibles by at least eighteen (18) inches, unless insulated or tripled-wall stovepipe is used, then clearance can be two (2) inches.
 - (3) Minimum slope should be one-fourth ($\frac{1}{4}$) inch per foot toward the stove.
 - (4) Joints in the pipe should be assembled to funnel any liquid creosote accumulating in the pipe back to the stove.
 - (5) Joints should fit tight.
 - (6) If the stovepipe must pass through a wall, an opening with at least six (6) inches' clearance from all framing members shall be provided and it shall be protected with a doubled-walled, ventilated thimble.
 - (7) In no case should a stovepipe extend through an area of the house which is unoccupied to the extent that regular inspection is not carried out (attic, crawl space, closet, etc.). If connections must be made through areas such as these, insulated piping

which is approved for use with wood-fueled stoves shall be used.

- (8) At no time should a wood stove be connected to an existing flue servicing a fireplace or oil burner.

D. Prefabricated chimneys and existing chimney.

- (1) Chimneys should be twenty-five percent (25%) larger than the size of the stovepipe which connects the stovepipe to the chimney. This means a stove with a six-inch pipe should have an eight-inch chimney. An eight-inch stovepipe should have a ten-inch chimney.
- (2) To prevent downdrafts and fire from sparks, chimney height must be at least two (2) feet above any roof surfaces within ten (10) feet horizontally and a minimum of three (3) feet from roof penetration.
- (3) All existing chimneys that are not lined must have a visual inspection and, if hazardous, must be repaired.
- (4) All chimneys must bear an Underwriters' Laboratories label (UL) and be designated as all-fuel chimney units.
- (5) The two (2) types that are approved are: the insulated unit which has an inner and outer wall with the space in between filled with noncombustible insulation and the triple-walled units which have three (3) layers of metal with air in between the layers so that air circulates between the layers and removes excess heat.
- (6) With the above type there is required a two-inch clearance between these chimneys and combustible material.
- (7) On outside installation of prefabricated chimneys it shall be required to have a tee at the bottom of the

chimney before it enters into the house. This is for cleaning purposes.

§ 44-4. Approval required.

All installations are to be approved by the Building Department before construction.

§ 44-5. Penalties for offenses. [Amended 3-2-1995 by L.L. No. 2-1995]

The failure to comply with any of the foregoing provisions of this local law shall be and constitute a violation thereof, and any person violating any of the provisions thereof shall be a disorderly person, and a violation thereof shall constitute disorderly conduct; and any person violating any provision of this local law shall forfeit and pay a penalty and fine of two hundred fifty dollars (\$250.) for the first violation thereof and five hundred dollars (\$500.) for each and every subsequent violation, which said sums are hereby fixed as fines or penalties for each violation.