

# CITY OF CHIPPEWA FALLS, WISCONSIN

## NOTICE OF PUBLIC MEETING

In accordance with the provisions of the Wisconsin State Statutes, Sec. 19.84, notice is hereby given that a public meeting of:

### Committee #3

### **Transportation, Construction, Public Safety and Traffic**

**Will be held on Tuesday, April 15, 2014 at 10:30 a.m. in the City Hall Council Chambers,  
30 W. Central Street, Chippewa Falls, WI**

Items of business to be discussed or acted upon at this meeting are shown on the agenda below:

1. Discuss draft ordinance entitled: An Ordinance Which Adds to the Indoor Solid Material Heating Systems Code Section by Prohibiting the Burning of Rubbish and the Like, Section 23.08(4) of the Chippewa Falls Municipal Code. Possible recommendations to the Council.
2. Discuss draft ordinance entitled: An Ordinance Creating the Solid Fuel-Burning Outdoor Heating Appliances Code Section – Section 23.08(5) of the Chippewa Falls Municipal Code. Possible recommendations to the Council.
3. Adjournment

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.

NOTE: REASONABLE ACCOMMODATIONS FOR PARTICIPATION BY INDIVIDUALS WITH DISABILITIES WILL BE MADE UPON REQUEST. FOR ADDITIONAL INFORMATION OR TO REQUEST THIS SERVICE, CONTACT THE CITY CLERK AT 726-2719.

Please note that attachments to this agenda may not be final and are subject to change.  
This agenda may be amended as it is reviewed.

#### CERTIFICATION OF OFFICIAL NEWSPAPER

I hereby certify that a copy of this notice has been posted on the City Hall bulletin board and a copy has been given to the Chippewa Herald on April 11, 2014 at 11:15 am by BNG.

**AN ORDINANCE WHICH ADDS TO THE  
INDOOR SOLID MATERIAL HEATING  
SYSTEMS CODE SECTION BY PROHIBITING  
THE BURNING OF RUBBISH AND THE LIKE,  
SECTION 23.08(4) OF THE CHIPPEWA  
FALLS MUNICIPAL CODE**

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN  
DO ORDAIN AS FOLLOWS:

1. That § 23.08(4) of the Chippewa Falls Municipal Code, relating to Indoor Solid  
Material Heating Systems, be created to read as follows:

(4) PROHIBITED MATERIALS. The ignition or burning of the following in Indoor  
Solid Material Heating Systems is strictly prohibited:

- a) Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- b) Asphalt and products containing asphalt.
- c) Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films and containers.

DATED this \_\_\_ day of \_\_\_\_\_, 2014.

ALDERPERSON: \_\_\_\_\_

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Gregory S. Hoffman, Mayor

ATTEST: \_\_\_\_\_  
Bridget Givens, City Clerk

**AN ORDINANCE CREATING THE SOLID FUEL-BURNING OUTDOOR HEATING  
APPLIANCES CODE SECTION - SECTION 23.08(5) OF THE  
CHIPPEWA FALLS MUNICIPAL CODE.**

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN,  
DOES ORDAIN AS FOLLOWS:

1. That Chapter 23.08(5) Solid Fuel-Burning Outdoor Heating Appliances shall be created as follows:

(1) PURPOSE. The Common Council of the City of Chippewa Falls has the authority to exercise its police powers for the general health, welfare and safety of the residents of the City. It is recognized and found that the type of fuel used by and the scale and duration of the burning by solid fuel-burning outdoor heating appliances and the smoke and particulate emissions emanating therefrom create noxious and hazardous smoke, soot, fumes, odors and air pollution that can be detrimental to citizens' health and can deprive neighboring property owners/users of the enjoyment of their property or premises when such appliances are located in an urban setting. Such appliances are hereby declared to be a public nuisance.

(2) DEFINITION. Solid fuel-burning outdoor heating appliance means any equipment, device or apparatus, or any part thereof, which is installed or constructed for the purpose of combustion of fuel to produce heat, hot water and/or energy that is used as a component of a heating system providing heat for the interior of a building or a pool, where the equipment, device or apparatus is located outside of the building or pool for which the heat, hot water and/or energy is to be generated. Said appliance shall be deemed to be outdoors, even if it is located in another separate building.

(3) PROHIBITION OF SOLID FUEL-BURNING OUTDOOR HEATING APPLIANCES. It shall be unlawful for any person to install, construct, operate, or use a solid fuel-burning outdoor heating appliance in the City of Chippewa Falls, except as set forth at subsection (4).

(4) NON-CONFORMING USE.

- (a) The lawful use or operation of any solid fuel-burning outdoor heating appliance, existing as of the effective date of this section, may be continued, subject to the requirements of this subsection.
- (b) The property owner and any solid fuel-burning outdoor heating appliance existing as of The effective date of this section shall, within six (6) months of the effective date of this section, register said appliance with the City of Chippewa Falls building inspector and receive a permit evidencing its status as a non-conforming use under this section.
- (c) No non-conforming solid fuel-burning outdoor heating appliance shall hereafter be extended, enlarged or expanded.
- (d) Any solid fuel-burning outdoor heating appliance existing as of the effective date of this section, which use has been discontinued for a period of twelve (12) consecutive months, shall not be permitted to be re-established as a non-conforming use, cannot be used or operated, and must be immediately removed by the property owner from the subject premises. If the property owner fails to remove the solid fuel-burning outdoor heating appliance at the end of said twelve (12) months, the City shall give written notice by certified mail or personal service. Such notice shall provide that such person shall remove the solid fuel-burning outdoor heating appliance within fifteen (15) days of the notice.

(e) Solid fuel-burning outdoor heating appliances permitted to be used or operated pursuant to subsection (4)(a) shall be required to use clean wood or wood specifically permitted by the manufacturer as fuel. Clean wood is defined as natural wood which has not been painted, varnished or coated with a similar material, has not been pressure-treated with preservatives and does not contain resins or glues as in plywood or other composite wood products. The use of the following materials as fuel is strictly prohibited:

1. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
2. Kerosene, gasoline or other petroleum products.
3. Asphalt and products containing asphalt.
4. Wood or wood products, other than clean wood.
5. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane form synthetic fabrics, plastic films and containers.
6. Rubber including tires and synthetic rubber-like products.
7. Newspaper, corrugated cardboard, container board and office paper.

(5) ENFORCEMENT. The fire chief, police chief, public works director, building inspector or their subordinates are authorized to enforce the provisions of this section.

(6) SEVERABILITY. The provisions of this section are severable. If any provision or subsection is held to be invalid or unconstitutional or if the application of any provision or subsection to any person or circumstance is held to be valid or unconstitutional, such holding shall not affect the other provisions, subsections or applications. It is hereby declared to be the intent of the common Council that this section would have been adopted had any invalid or unconstitutional provision or application not been included herein.

2. That this Ordinance shall take effect immediately upon adoption, publication and placement of signs according to law.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

ALDERPERSON: \_\_\_\_\_

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

APPROVED: \_\_\_\_\_

Gregory S. Hoffman, Mayor

ATTEST: \_\_\_\_\_

Bridget Givens, City Clerk