



General Assembly

Raised Bill No. 66

February Session, 2014

LCO No. 689



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING OUTDOOR WOOD-BURNING FURNACES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-174k of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) For purposes of this section, "outdoor wood-burning furnace"
4 means an accessory structure or appliance designed to be located
5 outside living space ordinarily used for human habitation and
6 designed to transfer or provide heat, via liquid or other means,
7 through the burning of wood or solid waste, for heating spaces other
8 than where such structure or appliance is located, any other structure
9 or appliance on the premises, or for heating domestic, swimming pool,
10 hot tub or jacuzzi water. "Outdoor wood-burning furnace" does not
11 include a fire pit, wood-fired barbecue or chiminea.

12 (b) [No person shall, from July 8, 2005, to the effective date of
13 regulations promulgated by the United States Environmental
14 Protection Agency to regulate outdoor wood-burning furnaces,] On
15 and after July 8, 2005, no person shall construct, install, establish,
16 modify, operate or use an outdoor wood-burning furnace, unless (1)

17 the outdoor wood-burning furnace was constructed, installed,
18 established, modified, operated or in use prior to July 8, 2005, or (2) the
19 outdoor wood-burning furnace complies with the following:

20 (A) Installation of the outdoor wood-burning furnace is not less
21 than two hundred feet from the nearest residence not serviced by the
22 outdoor wood-burning furnace;

23 (B) Installation of the chimney of the outdoor wood-burning furnace
24 is at a height that is more than the height of the roof peaks of the
25 residences that are located within five hundred feet of the outdoor
26 wood-burning furnace, which residences are not serviced by the
27 outdoor wood-burning furnace, provided the chimney height is not
28 more than fifty-five feet; and

29 [(C) No other materials are burned in the outdoor wood-burning
30 furnace other than wood that has not been chemically treated; and]

31 [(D)] (C) Installation and operation of the outdoor wood-burning
32 furnace is in accordance with the manufacturer's written instructions,
33 provided such instructions do not conflict with the provisions of this
34 section.

35 (c) On and after the effective date of this section, no person shall
36 burn any material in any outdoor wood-burning furnace other than
37 wood that is not chemically treated.

38 [(c)] (d) The provisions of this section shall be enforced by the
39 Commissioner of Energy and Environmental Protection and may be
40 enforced by the municipality affected by the operation or potential
41 operation of an outdoor wood-burning furnace.

42 [(d)] (e) Any person who operates an outdoor wood-burning
43 furnace in violation of this section shall be deemed to have committed
44 an infraction and shall be fined not more than ninety dollars. Each day
45 of operation of such outdoor wood-burning furnace in violation of this
46 section shall be a separate violation.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	22a-174k
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ENV *Joint Favorable*