

THE CORPORATION OF THE TOWN OF MISSISSIPPI MILLS

BY-LAW NO. 01 - 40

BEING a by-law to regulate Outdoor Solid Fuel Combustion Appliances

WHEREAS the Council of the Town of Mississippi Mills wishes to promote wood source heating as a sustainable, renewable source of energy;

AND WHEREAS the Council of the Town of Mississippi Mills considers Outdoor Solid Fuel Combustion Appliances to be a wood source heating system which may have the potential as a public nuisances;

WHEREAS Section 210 paragraph 140 of the Municipal Act, Chapter M.45 R.S.O. 1990 as amended, authorizes councils to pass by-laws prohibiting and abating public nuisances;

NOW THEREFORE the Council of the Corporation of the Town of Mississippi Mills enacts as follows:

1. Definitions:
 - (a) "Outdoor solid fuel combustion appliance" means a solid fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose; and which is located in a separate building or on the exterior of the building which it serves.
 - (b) "Waste" shall mean any material defined as waste in Section 25 of the Ontario *Environmental Protection Act*, Chapter E.19, R.S.O. 1990, as amended.
2. This by-law applies to all lands within the geographic limits of the Town of Mississippi Mills.
3. Outdoor solid fuel combustion appliances shall be permitted on properties zoned "RU" or "A".
4. Outdoor solid fuel combustion appliances shall be located on a permitted lot such that they are a minimum of 50 metres (165 feet) from a dwelling on an abutting property, or 145 feet from the side lot line when abutting a vacant lot. In no case shall an outdoor solid fuel combustion appliance be located closer to a lot line than the minimum setback requirement for the principle dwelling as expressed in the relevant zoning by-law.
5. Notwithstanding the provisions of Section 3, outdoor solid fuel combustion appliances are not permitted on any lot, which is located within a registered plan of subdivision or within a Hamlet or within the limits of the Almonte urban area as identified in the Town of Mississippi Mills Official Plan.

6. Where such installations are otherwise permitted in this by-law, there shall not be more than one (1) permitted per property in the Town except:
 - (a) More than one (1) outdoor solid fuel combustion appliance is permitted on a lot where it serves a permitted accessory dwelling or an agricultural building on lands which are used primarily for agricultural purposes.
7. The installation of outdoor solid fuel combustion appliances shall be in compliance with the Ontario Building Code, the Ontario Fire Code, the manufacturer's installation instruction and all other applicable law.
8. No outdoor solid fuel combustion appliance shall be used for the incineration of waste.
9. Any outdoor solid fuel combustion appliance in existence on the date of passing of this by-law, which was legally installed under authority of a valid building permit, shall be deemed to be in compliance with the provisions of this by-law.
10. Any person or persons who install, use or maintain an outdoor solid fuel combustion appliance in contravention of the provisions of this by-law are, upon conviction, guilty of an offense and subject to a fine pursuant to the *Provincial Offences Act.*, Chapter P. 33, R.S.O. 1990 as amended.
11. Prior to the installation of any outdoor solid fuel combustion appliance a permit shall be obtained from the Chief Building Official and fees shall be as set out in the Building By-Law.
12. Prior to the use of and following installation of any outdoor solid fuel combustion appliance each appliance shall be inspected and approved by the Chief Building Official.
13. This by-law shall come into force and effect on the day of passing.

BY-LAW READ a first time this 12th day of June, 2001.

BY-LAW READ a second time this 12th day of June, 2001.

BY-LAW READ a third time, passed, signed and sealed in open Council this 12th day of June, 2001.

F.R. (Ron) Pettem, Mayor

Cynthia Halcrow, Clerk