

ORDINANCE NO. 312

AN ORDINANCE ESTABLISHING MINIMUM REQUIREMENTS FOR THE INSTALLATION OF WOOD/COAL BURNING STOVES AND APPLIANCES AND THE CONSTRUCTION OF CHIMNEYS, FIREPLACES AND SMOKE PIPES WITH THE BOROUGH OF FREEPORT, REQUIRING PERMIT AND INSPECTIONS IN CONNECTION THEREWITH AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF FREEPORT AS FOLLOWS:

SECTION 1. Permits: No owner, agent or tenant shall commence with the installation of any chimney, fireplace, stove pipe, or wood/coal burning stove or appliance unless first obtaining a permit from the Borough of Freeport. The fee for such permit shall be \$10.00. Following completion of the installation and before placing the stove, appliance, chimney, or fireplace into use, permittee shall notify the Superintendent of Public Works, who shall forthwith inspect the installation to determine that it is in compliance with the requirements of this ordinance. If found to be in compliance with the ordinance, the Superintendent of Public Works shall countersign the permit and note the date of his inspection. If found to be in noncompliance, the Superintendent of Public Works shall notify the permittee, in writing, of the nature of the noncompliance, and the stove, chimney, fireplace, or appliance shall not be placed into use until the condition has been corrected and re-inspected by the Superintendent of Public Works and the permit countersigned by him.

SECTION 11. Installation: All wood/coal burning stoves or appliances shall be at least thirty six (36) inches from all combustible materials. Where clearance is less than thirty six (36) inches but more than eighteen (18) inches, the combustible surface shall be protected by one-quarter ($\frac{1}{4}$) inch asbestos mill-board spaced one (1) inch or more from the combustible surface. Adequate space shall be provided to permit air circulation. If clearance is less than eighteen (18) inches but more than twelve (12) inches the combustible wall shall be protected with a four (4) inch brick veneer wall extending two (2) feet above and two (2) feet beyond each side. All other installation shall be as follows:

a. All wood/coalburning stoves or appliances that have circulating devices shall be at least twenty four (24) inches from a combustible surface unless the appliance has a rating for lesser distance from combustible surface.

b. If the distance of any circulating wood/coal burning stove or appliance is twelve (12) inches to twenty-four (24) inches from the non-combustible surface, the surface shall be protected by one-quarter ($\frac{1}{4}$) inch asbestos one (1) inch spacing from the floor to permit air circulation between wall and shield.

c. If the circulating wood/coal burning stove or appliance is eight (8) inches to twelve (12) inches from the non-combustible surface, the surface shall be protected by one-quarter ($\frac{1}{4}$) inch asbestos millboard covered with twenty-eight (28) gauge metal spaced one (1) inch or more from the wall and floor to permit air circulation.

d. Non-combustible floor material shall extend at least eighteen (18) inches beyond the opening from which ashes are removed, and at least six (6) inches beyond the sides and rear.

e. Where stove legs are at least eighteen (18) inches above a combustible surface, a twenty-four (24) gauge sheet metal shall be used.

f. Where stove legs are between six (6) and eighteen (18) inches above a combustible surface, a twenty-four (24) gauge sheet metal over one-quarter ($\frac{1}{4}$) inch layer of asbestos millboard or other approved non-combustible material shall be used.

g. Where stove legs are six (6) inches or less above a combustible surface, a four (4) inch hollow masonry pad should be laid or an approved non-combustible surface of an inch thickness shall be used.

SECTION III. Chimney Connection:

a. All stove pipes shall be equal to or larger than the application flu connector.

b. All connector pipe shall be of a minimum of twenty-four (24) gauge black pipe or heavier.

c. All connector pipe, shall rise from the stove toward the chimney at least one-quarter ($\frac{1}{4}$) inch per foot or more.

d. Crimped end of chimney connector pipe shall point toward stove. Adapters may be used to permit crimped end to point toward stove.

e. Single wall connector pipe shall not pass through the floor or wall. However, when necessary, a connector may pass through a wall under the following conditions:

1. Where a ventilated type metal thimble is used and is twelve (12) inches greater in diameter than the chimney connector.

2. Where a metal or burned fireclay thimble is used and the thimble is surrounded on all sides by not less than eight (8) inches of brickwork or equivalent fireproofing material.

3. When all combustible material is removed for a sufficient distance to provide not less than eighteen (18) inches clearance on all sides of the connector. Any materials used to close this opening must be non-combustible insulating material.

4. When the section of the connector pipe passing through the combustible material is replaced by a properly installed section of factory built insulated Class A pipe for solid fuels.

5. All stove pipe shall be a minimum of eighteen (18) inches from a combustible surface.

6. If stove pipe is twelve (12) to eighteen (18) inches from combustible surface, the surface shall be covered with one-quarter ($\frac{1}{4}$) inch asbestos millboard spaced one (1) inch from the wall or ceiling used as a shield.

7. If stove pipe is nine (9) to twelve (12) inches from combustible surface, the surface shall be covered with one-quarter ($\frac{1}{4}$) inch asbestos millboard with a twenty-eight (28) gauge sheet metal spaced one (1) inch from wall or ceiling.

SECTION IV. Chimneys and Fireplaces:

a. Except as herein provided, all chimneys in every building hereafter erected and all chimneys hereafter altered or rebuilt shall be constructed of brick, stone or reinforced concrete or UL listed Class A Chimney. No masonry chimneys shall have walls less than four (4) inches in thickness and all chimneys shall be lined on the inside with fireclay chimney tile set in Portland cement mortar. The lining shall be continuous from the bottom of the flue to its extreme height. No chimney shall be corbeled out more than six (6) inches from a brick wall and such corbeling shall consist of not less than five courses of brick, unless the chimney requires special construction, and then any special constructed chimney shall not be corbeled out to such extent that the center of gravity of the chimney would be located so as to endanger the structure. Each heating device shall have a separate chimney with flue liner or an approved Class A Chimney.

b. All chimneys shall project at least three (3) feet above the point of contact with a flat roof or two (2) feet above any

roof surface within ten (10) feet horizontally of the chimney. Portland cement may be used in the construction of chimneys with the addition of not more than ten percent (10%) by volume of hydrated lime. No chimney in any building shall have wooded supports of any kind. Supports shall be non-combustible and shall rest upon the ground or foundation walls. Concrete footings under new chimneys shall be as hereintofore specified for concrete footings under foundation walls. All chimneys shall be thoroughly cleaned before any heating device is installed. All chimneys which are dangerous from any cause shall be repaired and made safe or taken down.

c. The fire-back of every fireplace hereafter erected shall not be less than eight (8) inches in thickness of solid brickwork, or air cell construction, nor less than twelve (12) inches of stone lined with fire brick. When a grate is set in a fireplace, a lining of fire brick at least two (2) inches in thickness shall be added to the fireback, or soapstone, fireclay, or cast iron may be used, if solidly backed with brick or concrete. All smoke pipes shall enter the chimney through a flue thimble or its equivalent such that the construction shall make a fire tight joint with the chimney tile flue liner.

d. All flue holes when not in use shall be closed with tight fitting metal covers. No wooden beams or joists shall be placed within one (1) inch of the outside face of the chimney or flue whether the same be for smoke, air or any purpose, except for hot air flues for heating purposes. No wood work shall be within four (4) inches of the back wall of any fireplace except if a chimney is built such that the thickness from the flue line is eight (8) inches or more. Necessary wood work may be placed against the chimney by using asbestos sheeting between and around the wood so placed under the approval of the Building Inspector.

SECTION V. Penalty:

a. Any person violating any of the provisions of this ordinance shall be fined not more than three hundred dollars (\$300.00) and in default of payment of fine and costs, imprisoned for not more than ninety (90) days. Each day's continued violation shall constitute a separate offense.