

Chapter 147

WOOD-BURNING FURNACES, OUTDOOR

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden 6-15-1999 by L.L. No. 2-1999. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction and fire prevention — See Ch. 66.

§ 147-1. Legislative authority.

This chapter is adopted pursuant to the authority of Articles 2 and 3 of the Municipal Home Rule Law.

§ 147-2. Purpose.

It is the intention of the Village Board of the Village of Camden by the adoption of this chapter to establish and impose restrictions upon the construction and operation of outdoor wood-burning furnaces within the limits of the village for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the village and its inhabitants. It is generally recognized that the types of fuel used, and the scale and duration of the burning by such furnaces, create noxious and hazardous smoke, soot, fumes, odors and air pollution, can be detrimental to citizens' health and can deprive neighboring residents of the enjoyment of their property or premises.

§ 147-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

OUTDOOR WOOD-BURNING FURNACE — An accessory structure, designed and intended, through the burning of wood, for the purpose of heating the principal structure or any other site structure on the premises.

§ 147-4. Prohibition.

The construction and operation of outdoor wood-burning furnaces are hereby prohibited within the Village of Camden.

§ 147-5. Penalties for offenses.

Any person who shall violate any provision of this chapter shall be guilty of a violation as defined in Article 10 of the Penal Law and shall, upon conviction, be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Each week's continued violation shall constitute a separate and distinct offense.

§ 147-6. Civil proceedings and penalties.

Compliance with this chapter may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction. Any person who violates any provision of this chapter shall also be subject to a civil penalty of not more than \$500, to be recovered by the village in a civil action, and each week's continued violation shall be for this purpose a separate and distinct violation. In the event that the village is required to take legal action to enforce this chapter, the violator will be responsible for any and all necessary costs relative thereto, including attorneys' fees, and such expense shall be charged to the property so affected by including such expense in the next annual tax levy against the property.

§ 147-7. Authority for enforcement.

The Village Board of the Village of Camden or its Enforcement Officer are hereby authorized in the name and on behalf of the village to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this chapter.