

HOME HEATING RECLAMATION ACT
Petition Certified on September 22, 2017

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SUMMARY OF ORDINANCE

The Fairbanks North Star Borough excluding the natural gas utility, shall not in any way regulate, prohibit, curtail, ban, nor issue fines or fees associated with, the sale, distribution, installation or operation of solid fuel heating appliances or any type of combustible fuels.

ORDINANCE AS SUBMITTED BY SPONSORS

The Home Heating Reclamation Act

WHEREAS, we affirm a private citizen reserves the right to heat ones dwelling in the most affordable or efficient manner as determined by the private citizen; and

WHEREAS, the concern for air quality is subordinate to the need for warmth; and

WHEREAS, the cost of liquid fuels in the interior forces residents to seek renewable and affordable natural resources; and

WHEREAS, state and federal standards for air quality are in place; and

WHEREAS, air quality improvement can be attained through community education and incentives to upgrade or repair existing home heating devices.

NOW, THEREFORE, BE IT ORDAINED

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the code of the Fairbanks North Star Borough.

Section 2. The Fairbanks North Star Borough excluding the natural gas utility, shall not in any way regulate, prohibit, curtail, ban, nor issue fines or fees associated with, the sale, distribution, installation or operation of solid fuel heating appliances or any type of combustible fuels.

Section 3. Definition: "Solid fuel heating appliance" means any appliance designed to produce heat by burning non gaseous and non liquid fuels. This definition includes but is not limited to:

1. Wood stoves;
2. Coal Stoves;
3. Wood-fired hydronic heaters;

4. Wood-fired furnaces
5. Coal-fired hydronic heaters;
6. Coal-fired furnaces;
7. Fireplace inserts;
8. Pellet fuel burning devices;
9. Masonry heaters;
10. Cook stoves; and
11. Fireplaces

"Wood stove" means a heater or stove that is fueled by wood.

"Coal stove" means a heater or stove that is fueled by coal.

"Hydronic heater" means a fuel burning appliance designed to (1) burn wood or other solid fuels and (2) heat building space and/or domestic hot water via the distribution, typically through pipes, of a fluid heated in the appliance.

"Furnace" means an appliance fired by gas, oil, pellets, coal or wood in which air or water is heated to be circulated through a building in a heating system.

"Fireplace insert" means a solid fuel burning appliance similar in function and performance to a freestanding wood burning stove, which is made from cast iron or steel designed to be installed in an existing masonry or prefabricated fireplace.

"Pellet fuel burning devices" means a closed combustion, vented pellet burning appliance with automatic components creating an active air flow system, sold with the hopper and auger combination as integral parts, and designed, warranted, safety listed, and advertised by the manufacturer specifically to be fueled by pellets of sawdust, wood products and other biomass materials while prohibiting the use of cordwood.

"Masonry heater" means a device for warming an interior space through radiant heating, by capturing the heat from the periodic burning of fuel (usually wood), and then radiating the heat at a fairly constant temperature for a long period.

"Cook stove" means a wood burning appliance that is designated primarily for cooking food and that has the following characteristics:

1. An oven, with a volume of one cubic foot or greater, and an oven rack;
2. A device for measuring oven temperatures;
3. A flame path that is routed around the oven;
4. A shaker grate;
5. A ash pan;
6. An ash clean-out door below the oven; and
7. The absence of a fan or heat channels that dissipate the heat from the device.

"Fireplace" means an assembly consisting of a hearth and open fire chamber of noncombustible factory-built or masonry materials and provided with a chimney, for use with solid fuels.

Section 4. Effective date. This ordinance will be effective on certification of the election.