

**TOWN OF HARDWICK
BOARD OF HEALTH**

**REGULATION FOR THE USE OF OUTDOOR
WOOD BURNING BOILERS**

I. Statement of Purpose and Authority

The Board of Health of the Town of Hardwick, pursuant to Sections 31 and 31C of Chapter 111 of the Massachusetts General Laws, hereby adopts this regulation in order to minimize the human health hazards resulting from the smoke and noxious fumes emitted by outdoor wood burning boilers, to encourage the proper techniques in the use and location of these boilers, and to promote the public comfort and convenience.

II. Definitions

Outdoor Wood Boiler or OWB shall be synonymous with the term “Outdoor Hydronic Heater (OHH)” as defined in 310 CMR 7.26(51), which means a fuel burning device: (a) designed to burn wood or other approved solid fuels; (b) that the manufacturer specifies for outdoor installation or installation in structures not normally occupied by humans (e.g. garages); and (c) heats building space and/or water via distribution, typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture.

All other definitions set forth in 310 CMR 7.26(51) shall apply in this Regulation.

III. Requirements

- A. No person shall own or operate an Outdoor Wood Boiler in the Town of Hardwick except in accordance with the provisions of 310 CMR 7.26(50) through (54).
- B. Notwithstanding the provisions of 310 CMR 7.26(52)(c) no person shall cause, suffer, allow or permit the operation of an Outdoor Wood Boiler in the Town of Hardwick from May 16 to September 30 of any calendar year.

IV. Enforcement

- A. Whoever violates this Regulation or any order issued pursuant thereto, may be punished, for the first offense, by a fine of not less than one thousand nor more than five thousand dollars and for a subsequent offense, by a fine of not less than five thousand nor more than ten thousand dollars. For the purpose of this paragraph each day or part thereof of violation of such an order, rule or regulation whether such violation be continuous or intermittent, shall be construed as a separate and succeeding offense.
- B. The Board of Health may enforce this Regulation or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

This regulation was approved by MADEP on December 8, 2011 and becomes effective as of February 1, 2012.

Marcelino “Tex” Sarabia, Chairman
Andrew Swistak, Vice Chairman
David Mazeika, Clerk