

CITY OF APPLETON

ORDINANCES PERTAINING TO THE ADVERTISING AND SALE OF FIREWOOD

**AS ENFORCED BY APPLETON HEALTH DEPARTMENT, AND WEIGHTS
AND MEASURES**

EFFECTIVE JUNE 8, 1980

Section 22-9 Method of Sale of Commodities

(Sections ATCP 91.01 and 91.07 Wisconsin Administrative Code)

- (c) It shall be unlawful to advertise, offer for sale, or sell within the city firewood, fireplace wood, slab wood or stove wood in any other manner than by the cord, fractions of a cord, volumetric measure or by weight.
- (1) Mill ends, lumber scraps, and irregular pieces when sold for fuel shall be sold by net weight.
 - (2) The cord is hereby defined for purposes of this section as the amount of wood, or a combustible, fibrous growth, which is contained in a space of one hundred twenty-eight (128) cubic feet, when the wood is ranked and well stowed.
 - (3) A single log and packages of such individual logs containing less than four(4) cubic feet, commonly referred to as bundles shall be sold by net weight.

Per custom, one hundred twenty-eight (128) cubic feet generally means a stack of wood four(4) feet by four (4) feet by eight (8) feet. Ranked and well stowed shall be construed to mean pieces of wood placed in a line or row with individual pieces touching and parallel to each other, and stacked in a compact manner.

Section 22-12 Advertising commodities for sale

Whenever a commodity in bulk or packaged form is advertised in any manner and the price of the commodity is stated in the advertisement, there shall be closely and conspicuously associated with such statement of price a declaration of the quantity, of contents offered in the case of packaged commodity, or of the price per unit and the unit based upon in the case of a bulk commodity.

- (1) Whenever any commodity is advertised as described, the appropriate method of sale as set forth in section 22-9 and in state statutes and rules adopted by reference shall also be in applied it the advertisement.
- (2) There shall not be included as part of the declaration required under this section such qualifying terms as “when packaged”, “minimum”, “not less than”, or any other terms of similar import, nor any term

qualifying a unit of weight, measure, or count, for example “jumbo”, “giant”, “full”, and the like, that tends to exaggerate the amount of commodity in the package.

Section 22-15 Fireplace wood and stove wood
(Section ATCP 91.07 Wisconsin Administrative Code)

- (a) As set forth in subsection 22-9 (c), firewood, fireplace wood, slab wood or stove wood shall be sold only in units of a cord or fractions of a cord, by volumetric measure, or by weight. A delivery ticket or invoice shall be presented by the seller to the purchaser whenever any non packaged fireplace or stove wood is sold. The delivery ticket or sales invoice shall clearly and legibly state in ink or other indelible substance at least the following information:
- (1) Name and address of seller;
 - (2) Name and address of purchaser;
 - (3) Date of delivery;
 - (4) Quantity delivered and the quantity upon which the price is based, if this differs from the delivered quantity;
 - (5) The price of the amount delivered;
 - (6) Identify the wood in the most descriptive terms commercially practicable, including any quality representation made in connection with sale.
- (b) Units of firewood of less than four (4) cubic feet, whether sold as single log or in packages consisting of two (2) or more logs commonly referred to as bundles, shall be sold by net weight. No delivery ticket or invoice is required, however, each package of two (2) or more logs shall be clearly and legibly labeled, tagged or marked with the name, address and zip code of the packager or distributor, the net weight contained, and the species of wood provided, for example “birch firewood” or “mixed hardwood”.
- (c) No person shall advertise to residents of the city nor sell and deliver within the city any firewood, fireplace wood, slab wood or stove wood without first having obtained an annual license as required in this article. The license fee shall be as set forth in section 22-40. Firewood sellers shall ensure that their current weights and measures license number is placed in any advertisements, including those publications or broadcasts that originate outside of the city but that are directed all or in part to city residents.

Revised 1/14/03