

ORDINANCE # 567

**AN ORDINANCE SUPPLEMENTING PRIOR ZONING ORDINANCES
SPECIFICALLY FOCUSING ON SOLAR ENERGY SYSTEMS
FOR THE VILLAGE OF GREENVIEW, ILLINOIS**

WHEREAS, the Village Board of the Village of Greenview, Menard County, Illinois, has determined it is necessary to promote the public health, safety and general welfare of the people; create and implement a solar energy ordinance as it relates to, land use and structures; to protect the character and stability of the residential and business areas within the Village of Greenview to promote the orderly and beneficial development of such areas in conjunction with emerging renewable energy source of solar programs; to provide adequate light, air, privacy and convenience of access to property; to regulate the intensity of the use of lot areas and determine the area of open spaces surrounding buildings necessary to provide adequate light, air and protection of the public health while allowing residents if they chose, to install renewable energy solar panels; to fix reasonable standards to which solar panels on the ground or the rooftop; to prohibit uses of structures or buildings or structures incompatible with the character of development of intended use within specified zoning areas; to prevent additions to or alterations of or remodeling of existing buildings or structured in such a way as to avoid the restrictions, imposed herein to conserve the taxable value of land and buildings throughout the Village of Greenview; and to amend prior duly and properly passed Ordinances of the Village of Greenview, Menard County, Illinois.

**NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE OF GREENVIEW,
MENARD COUNTY, ILLINOIS:**

SECTION 1. STATUTORY AUTHORITY. The Village of Greenview adopts the position codified in the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq, as amended from time

to time, to establish minimum standards governing the condition and maintenance of the buildings, structures, and other physical formations in so far as such condition and maintenance may affect the public safety. Pursuant to Article 11 of the Illinois Municipal Code (65 ILCS Art. 5/11-1-1 et seq), the Village Corporate Authorities may pass and enforce all necessary Ordinances concerning public, health, safety and welfare and pursuant to Division 11 thereof (65 ILCS 5/11-11-1 et seq) the Cooperate authorities of each municipality may develop an official comprehensive zoning plan and establish Ordinances for the enforcement of the same.

SECTION 2. PRIOR ZONING ORDINANCES. All prior Village zoning ordinances previously having been duly passed and currently in effect shall remain in full force and effect. It is the intent that this ordinance supplements the current zoning ordinance which was previously dully passed as required pursuant to statute by the Village of Greenview Menard County, Illinois,

SECTION 3. PURPOSE AND INTENT

A. Solar energy is a renewable and non-polluting energy resource that can prevent fossil fuel emissions and reduce a municipality's energy load. Energy generated from solar energy systems can be used to offset energy demand on the grid where excess solar power is generated.

B. The use of solar energy equipment for the purpose of providing electricity and energy for heating and/or cooling is an option to the residents of the Village of Greenview and the Village realizes the necessity and importance on supplementing its current zoning ordinance to include regulations for residents relating to the installation and maintenance of solar energy systems.

SECTION 4. DEFINITIONS

ACCESSORY STRUCTURE: A structure, the use of which is customarily incidental and subordinate to that of the principal building and is attached thereto and is located on the same lot or premises as the principal building.

ALTERNATIVE ENERGY SYSTEMS: Structures, equipment, devices or construction techniques used for the production of heat, light, cooling, electricity or other forms of energy on site and may be attached to or separate from the principal structure.

BUILDING-INTEGRATED PHOTOVOLTAIC (BIPV) SYSTEMS: A solar energy system that consists of integrating photovoltaic modules into the building structure, such as the roof or the façade and which does not alter the relief of the roof.

FLUSH-MOUNTED SOLAR PANEL: Photovoltaic panels and tiles that are installed flush to the surface of a roof and which cannot be angled or raised.

FREESTANDING OR GROUND-MOUNTED SOLAR ENERGY SYSTEM: A solar energy system that is directly installed in the ground and is not attached or affixed to an existing structure.

PERMIT GRANTING AUTHORITY: The Village authority is charged with granting permits for the installation and operation of solar energy systems.

PHOTOVOLTAIC (PV) SYSTEMS: A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells that generate electricity whenever light strikes them.

QUALIFIED SOLAR INSTALLER: A person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NABCEP's list of certified installers may be deemed to be qualified solar installers if the Village determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

ROOFTOP OR BUILDING MOUNTED SOLAR SYSTEM: A solar power system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

SMALL-SCALE SOLAR: For purposes of this Ordinance, the term "small-scale solar" refers to solar photovoltaic systems that produce up to ten kilowatts (kW) per hour of energy or solar-thermal systems which serve the building to which they are attached, and do not provide energy for any other buildings.

SOLAR ACCESS: Space open to the sun and clear of overhangs or shade including the orientation of streets and lots to the sun so as to permit the use of active and/or passive solar energy systems on individual properties.

SOLAR COLLECTOR: A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

SOLAR EASEMENT: An easement recorded pursuant to Illinois Real Property Law, the purpose of which is to secure the right to receive sunlight across real property of another for continued access to sunlight necessary to operate a solar collector.

SOLAR ENERGY EQUIPMENT/SYSTEM (SES): Solar collectors, controls, energy storage devices, heat pumps, heat exchangers, and other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into another

form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal, photovoltaic, and concentrated solar.

SOLAR PANEL: A device for the direct conversion of solar energy into electricity.

SOLAR STORAGE BATTERY: A device that stores energy from the sun and makes it available in an electrical form.

SOLAR- THERMAL SYSTEMS: Solar thermal systems directly heat water or other liquid using sunlight. The heated liquid is used for such purposes as space heating and cooling, domestic hot water, and heating pool water.

SECTION 5. APPLICABILITY

- A. The requirements of this Ordinance shall apply to all residential solar energy systems modified or installed after the effective date of this Ordinance.
- B. Solar energy systems for which a valid permit has been properly issued or for which installation has commenced prior to the effective date of this article shall not be required to meet the requirements of this Ordinance.
- C. All solar energy systems shall be designed, erected and installed in accordance with all applicable codes, regulations and standards.
- D. Solar energy collectors shall be permitted only to provide power for use by owners, lessees, tenants, residents, or other occupants of the premises on which they are erected.

SECTION 6. PERMITTING

- A. No solar energy system or device shall be installed or operated in the Village of Greenview except in compliance with this ordinance.
- B. Rooftop and Building-Mounted Solar Collectors: Rooftop and building mounted solar collectors are permitted in all zoning districts in the Village for residential use only and subject to the following:
 - 1. Building permits shall be required for installation of all free standing or ground mounted solar collectors and all rooftop and building-mounted solar collectors.
 - 2. Height limitations for any system shall not exceed the height as is reasonably necessary to accomplish the purpose for which they are intended to serve, but in no event shall any free standing or ground mounted systems exceed five (5) feet in height at full tilt, any rooftop or structure mounted solar systems shall not exceed twenty-four (24) inches in height and either structure should only be erected so as not to obstruct solar access to neighboring properties

3. Flat Rooftop Exception: Placement of solar collectors on flat roofs shall be allowed to exceed the height restrictions herein previously mentioned if panels do not extend horizontally past the roofline.

D. Building-Integrated Photovoltaic (BIPV) Systems: BIPV systems are permitted in all residential zoning districts.

E. Ground-Mounted and Free-Standing Solar Collectors: Ground-mounted and free-standing solar collectors are permitted as accessory structures in all residential zoning districts of the Village, subject to the following conditions:

1. Building permits are required for the installation of all solar collectors regardless of whether installed on the ground or on a rooftop or building.
2. The location of the solar collector meets all applicable setback requirements stated herein: No system or any part thereof shall be constructed closer than eight (8) feet to any lot line.
3. Solar energy equipment shall be located in a manner to reasonably minimize view from neighboring lots and blockage for surrounding properties and shading of property to the north, while still providing adequate solar access for collectors.
4. Freestanding or ground mounted solar energy collectors shall be fenced by architectural features, earth berms, fencing, landscaping, or other screening which is typical and customary with the property and surrounding area.

F. Solar-Thermal Systems: Solar-thermal systems are permitted in residential zoning districts subject to the following condition:

1. Building permits are required for the installation of all solar-thermal systems.

G. Solar energy systems and equipment shall be permitted only if they are determined by the Village not to present any unreasonable safety risks, including, but not limited to, the following:

Ingress or egress in the event of fire or other emergency.

SECTION 7. SAFETY

A. All solar collector installations must be performed by a qualified solar installer.

B. Prior to operation, electrical connections must be inspected by a certified electrician and proof thereof shall be provided to the Village.

C. Any connection to a public utility grid must be inspected by the appropriate public utility and the results of such inspection shall be provided to the Village.

D. Solar energy systems shall be maintained in good working order.

E. If solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure when in use and when no longer used shall be disposed of in accordance with the laws and regulations of the State of Illinois and other applicable laws and regulations.

G. If a solar collector ceases to perform its originally intended function for more than 12 consecutive months, the property owner shall remove the collector, mount and associated equipment by no later than 90 days after the end of the twelve-month period.

SECTION 8. VIOLATIONS/APPEALS

A. If an individual is found to be in violation of the provisions of this Ordinance, violations should be addressed in accordance with the established procedures of the Village code.

B. If a building permit for a solar energy device is denied because of a conflict with other goals of the Village, the applicant may seek relief from the Village as indicated in the zoning appeals ordinance previously duly passed.

SECTION 9. SEVERABILITY. If any provision of this amending Ordinance is declared invalid by a Court of competent jurisdiction such involved portion shall not be affected and the remaining provisions of this Ordinance will remain in full force and effect.

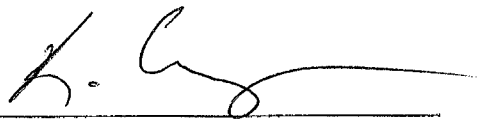
SECTION 10. EFFECTIVE DATE. The effective date of this amending Ordinance is the date of passage and publication if any as provided by Law and when the Ordinance was passed by the Board of Trustees of the Village of Greenview, Menard County, Illinois.

PASSED by the Village of Greenview, County of Menard, State of Illinois, at a regular meeting held on the 10th day of November, 2023, and approved on the same day.

AYES: Trustee Booth, Trustee Flanagan, Trustee Heymann,
Trustee Soldwedel, Trustee Smith, Trustee Rouse


NAYS: _____

ABSENT: _____



President, Village Board of Trustees

(CORPORATE SEAL)
ATTEST:



Village Clerk

APPROVED: This 6th day of
November, 2023.

Ordinance Drafted by:

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