

**MONROE COUNTY, PENNSYLVANIA  
MODEL ORDINANCE FOR  
ON-SITE USAGE OF SOLAR ENERGY SYSTEMS**

Township/Borough of [*Municipality name*]  
Monroe County, Pennsylvania

ORDINANCE NO. -----

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF [*MUNICIPALITY NAME*], BY AMENDING [*ARTICLE/SECTION*], DEFINITIONS, BY ADDING DEFINITIONS FOR SOLAR ENERGY SYSTEMS AND BY AMENDING [*ARTICLE/SECTION*], ADDING A NEW SECTION TO PERMIT SOLAR ENERGY SYSTEMS AS AN ACCESSORY TO PERMITTED, CONDITIONAL AND SPECIAL EXCEPTION USES IN ANY ZONING DISTRICT.

BE IT HEREBY ENACTED AND ORDAINED by the [*Governing Body*] of [*Municipality name*], Monroe County, Pennsylvania, that the [*Municipal*] Zoning Ordinance, shall be amended in the following respects:

Section 1. The Zoning Ordinance of [*Municipality name*] [*Section/Article*], Definitions, shall be amended to include the following definitions:

Mechanical Equipment: Any device associated with a solar energy system, such as an outdoor electrical unit/control box, that transfers the energy from the solar energy system to the intended on-site structure.

Solar Access: A property owner's right to have sunlight shine on the owner's land. (*The enforcement of this right is through the zoning ordinance that establishes height and setback requirements.*)

Solar Energy System: An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy requirements of the on-site user. This definition shall include the terms passive solar and active solar systems.

Solar Glare: The effect produced by light reflecting from a solar panel with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Section 2. Applicability:

1. This ordinance applies to solar energy systems to be installed and constructed after the effective date of the ordinance.

2. Solar energy systems constructed prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance.
3. Any upgrade, modification, or structural change that materially alters the size or placement of an existing solar energy system shall comply with the provisions of [Section/Article].

Section 3. The Zoning Ordinance of [Municipality name], [Section/Article], Accessory Regulations, shall be amended by adding [Section/Article#] as follows:

#### SOLAR ENERGY SYSTEMS

It is the purpose of this regulation to promote the safe, effective and efficient use of solar energy systems installed to reduce the on-site consumption of utility supplied energy and/or hot water as a permitted accessory use while protecting the health, safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. A solar energy system shall be permitted in any zoning district as an accessory to a principal use herein and subject to specific criteria as set forth below. Where said general standards and specific criteria overlap, the specific criteria shall supersede the general standards.

1. The installation and construction of a solar energy system shall be subject to the following development and design standards:
  - A. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
  - B. A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
  - C. A solar energy system connected to the utility grid shall provide written authorization from the local utility company to the [Township/Borough] acknowledging and approving such connection.
  - D. A solar energy system may be roof mounted [attachment #1] or ground mounted [attachment #2].

- E. A roof mounted system may be mounted on a principal building or accessory building. A roof mounted system, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof.
- F. A ground mounted system shall not exceed the maximum building height for accessory buildings.
- G. The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.
- H. A ground mounted system or system attached to an accessory building shall not be located within the required front yard setback.
- I. The minimum solar energy system setback distance from the property lines shall be equivalent to the building setback or accessory building setback requirement of the underlying zoning district. *[Please note that some municipalities have less stringent accessory structure setbacks, e.g. 10 foot side yard setback for sheds. If accessory structure setbacks are less stringent than the primary structure setback, it is recommended that the municipality require solar energy systems to have the setback requirements of the primary structure in the underlying zoning district.]*
- J. All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:
  - a. Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a visual screen. In lieu of a planting screen, a decorative fence meeting the requirements of the Zoning Ordinance may be used.
  - b. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
  - c. Mechanical equipment shall comply with the setbacks specified for accessory structures in the underlying zoning district. *[Please note that some municipalities have less stringent accessory structure setbacks, e.g. 10 foot side yard setback for sheds. If accessory structure setbacks are less stringent than the primary structure setback, it is recommended that the municipality require*

*solar energy systems to have the setback requirements of the primary structure in the underlying zoning district.]*

- K. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- L. Solar panels shall not be placed in the vicinity of any airport in a manner that would interfere with airport flight patterns. Acknowledgement from the Federal Aviation Administration may be necessary.
- M. All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground.
- N. A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
- O. A solar energy system shall not be constructed until a building/zoning permit has been approved and issued.
- P. The design of the solar energy system shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system per the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended, and the regulations adopted by the Department of Labor and Industry. All wiring shall comply with the applicable version of the National Electric Code (NEC). The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the Commonwealth of Pennsylvania. *[Please note that the existing roof structure and the weight of the solar energy system shall be taken into consideration when applying for a solar energy system permit].*
- Q. The solar energy system shall comply with all applicable *[Township/Borough]* Ordinances and Codes so as to ensure the structural integrity of such solar energy system.
- R. Before any construction can commence on any solar energy system the property owner must acknowledge that he/she is the responsible party for owning and maintaining the solar energy system.

2. If a ground mounted solar energy system is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded.
  
3. If a ground mounted solar energy system has been abandoned (meaning not having been in operation for a period of six (6) months) or is defective or is deemed to be unsafe by the [Township/Borough] Building Code Official, the solar energy system shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the [Township/Borough] Building Code Official. If the owner fails to remove or repair the defective or abandoned solar energy system, the [Township/Borough] may pursue a legal action to have the system removed at the owner's expense.

Section 4. All other portions, parts and provisions of the Zoning Ordinance of [Municipality name], as heretofore enacted and amended, shall remain in force and effect.

Section 5. This Ordinance shall take effect five (5) days after the date of its enactment.

DULY ORDAINED AND ENACTED the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the [Governing Body] of the Township/Borough of [Municipality name], Monroe County, Pennsylvania, in lawful session duly assembled.

[Governing Body] of [Municipality name]

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ATTEST:

\_\_\_\_\_

***ROOF MOUNTED SOLAR ENERGY SYSTEM (ATTACHMENT #1)***



***GROUND MOUNTED SOLAR ENERGY SYSTEM (ATTACHMENT #2)***

