

ORDINANCE NO. 2022-3

**THE TOWNSHIP OF CONEWAGO
DAUPHIN COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE TOWNSHIP OF CONEWAGO, DAUPHIN COUNTY PENNSYLVANIA TO AMEND THE CODE OF ORDINANCES, CHAPTER 27 ZONING, TO ADD REQUIREMENTS RELATING TO SOLAR ENERGY SYSTEMS

WHEREAS, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and the conservation of energy through access to and use of renewable energy resources;

WHEREAS, new technology as to energy sources within residential and commercial establishments have created the need for regulation of solar energy mechanisms within the Township for instances when appropriate installation and construction regulations have been demonstrated by applicants;

WHEREAS, Conewago Township seeks to permit varied uses of solar energy systems within the Township based upon the need to utilize alternative energy sources throughout the Commonwealth;

WHEREAS, Conewago Township seeks to promote the general health, safety and welfare of the Township by adopting and implementing an amendment to the Zoning Ordinance providing for use of solar energy systems; and

WHEREAS, The Board of Supervisors of Conewago Township desire to hereby amend the Township Zoning Ordinance to include provisions for the regulation of Solar Energy Systems within the Township.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Conewago, Dauphin County, Pennsylvania, and it is hereby enacted and ordained as follows:

1. Chapter 27, Zoning, Part 2 Definitions, Section 201 is hereby amended to include the following terms:

SOLAR ENERGY SYSTEM, ACCESSORY – An alternative energy system consisting of one or more roof mounted and/or ground mounted solar energy collector devices, as an energy storage system, and/or components for the distribution of energy that has transformed or will transform direct solar energy into thermal, chemical or electric energy, and which is intended to reduce on-site consumption of utility power.

SOLAR ENERGY SYSTEM, PRINCIPAL – An alternative energy system used principally as a generator of power for off-site consumption and consisting of one or more roof mounted and/or ground mounted solar energy collector devices, an energy storage system, and/or components for the distribution of energy that has transformed or will transform direct solar energy into thermal, chemical or electric energy.

2. Chapter 27, Zoning, Part 10 General Provisions, is hereby amended to add Section 1020, which states:

A. Solar Energy System, Accessory General Requirements

Solar Energy Systems, Accessory shall be permissible in all zoning districts subject to the following requirements:

1. The Solar Energy System, Accessory shall comply with all applicable Township Ordinances and Codes so as to ensure the structural integrity of such Solar Energy System, Accessory as well as the building on which a roof-mounted Solar Energy System is to be located
2. In order to ensure the safety of emergency responders, the type of Solar Energy System, Accessory (thermal, chemical, electrical) and the system shut-off location(s) shall be clearly and permanently identified on the system.
3. No ground mounted Solar Energy System, Accessory shall exceed 10 feet in height.
4. No roof-mounted Solar Energy System, Accessory shall cause the building on which it is attached to exceed the maximum height within the zoning district in which the Solar Energy System is located.
5. The Solar Energy System, Accessory shall comply with the setback requirements within the zoning district in which the Solar Energy System is located.
6. No Solar Energy System, Accessory shall be located within a front yard.
7. Glare from the Solar Energy System, Accessory shall be directed away from adjoining properties or street right-of-way.
8. Once no longer in use, the Solar Energy System, Accessory shall be removed and the property restored to its original state prior to the installation of the Solar Energy System. This shall include the

removal and proper disposal or recycling of all panels, equipment and building materials.

9. A ground mounted Solar Energy System, Accessory shall be considered a “building” for determining the maximum amount of lot coverage allowable within the zoning district in which the Solar Energy System, Accessory is located.
10. A Solar Energy System, Accessory requires the approval and issuance of a building permit by the Township Code Official prior to the start of construction.

B. Solar Energy System, Principal General Requirements

A Solar Energy System, Principal shall be allowed by Conditional Approval in the Commercial – General (CG) and the Wholesale – Manufacturing (WM) Zoning Districts subject to the following requirements:

1. The local utility provider shall be contacted to determine grid interconnection and net metering policies. The owner of the Solar Energy System, Principal shall submit certificates of design compliance by the equipment manufacturers from a certifying organization and any such design including all roof-mounted Solar Energy Systems shall be certified by an Engineer registered in the Commonwealth of Pennsylvania.
2. The applicant shall provide written authorization from the power utility for connection to the power utility grid.
3. The Solar Energy System, Principal shall comply with all applicable Township Ordinances and Codes including the submittal and approval of a land development plan and/or stormwater management plan in accordance with adopted Township Ordinances.
4. In order to ensure the safety of emergency responders, the type of Solar Energy Systems (thermal, chemical, electrical) and the system shut-off location(s) shall be clearly and permanently identified on the system.
5. No ground mounted Solar Energy System Principal shall exceed 10 feet in height.
6. No roof mounted Solar Energy System, Principal shall cause the building on which it is attached to exceed the maximum height within the zoning district in which the Solar Energy System is located.

7. The Solar Energy System, Principal shall comply with the setback requirements within the zoning district in which the Solar Energy System is located.
8. No Solar Energy System, Principal shall be located within a front yard.
9. Fences or vegetative screening shall be used outside of the applicable setbacks to prevent glare from impacting adjoining properties or street rights-of-way. A buffer yard shall also be provided in accordance with Part 10 of this Chapter.
10. No Solar Energy System, Principal shall be located on Class 1 or Class 2 farming soils as designated by the Pennsylvania Department of Agriculture.
11. Before any construction can commence, the property owner and the applicant for a Solar Energy System, Principal must execute an agreement with the Township, in a recorded instrument legally sufficient to the Township, reviewed by the Solicitor, requiring the removal of the Solar Energy System, Principal within one year after the System ceases to function. A bond or other acceptable form of security to guarantee the removal of the Solar Energy System, Principal shall be submitted and accepted by the Township.
12. Once no longer in use, the Solar Energy System, Principal shall be removed and the property restored to its original state prior to the installation of the Solar Energy System, This shall include the removal and proper disposal or recycling of all panels, equipment and building materials.
13. A Solar Energy System, Principal requires the approval and issuance of a building permit by the Township Code Official prior to the start of construction.
14. A Ground mounted Solar Energy System, Principal shall be considered a "building" for determining the maximum amount of lot coverage allowable within the zoning district in which the Solar Energy System is located.
15. The area devoted to the Solar Energy System, Principal shall be limited to a maximum of five acres or five percent of the total lot area, whichever is less, unless located on the roof of an existing building.
16. All on-site utility and transmission lines for the Solar Energy System, Principal shall be placed underground, unless demonstrated

by the applicant to not be feasible through a request for Conditional Approval.

17. A clearly visible warning sign concerning the voltage shall be placed at the base of all pad-mounted transformer and substations.

3. The provisions of this Ordinance shall be severable, and if any of the provisions thereof shall be found to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

4. All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.

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

DULY ORDAINED, this 27th day of July, 2022 by the Board of Supervisors of the Township of Conewago, Dauphin County, Pennsylvania.

**BOARD OF SUPERVISORS OF THE
TOWNSHIP OF CONEWAGO**

ATTEST:

Heather Degeffert
Secretary

Terry Whitmeyer
Chair, Board of Supervisors

(SEAL)