

Section 1. Purpose

The purpose of this Article is to regulate the installation of solar energy systems and promote their safe and effective use. Regulating standards for the siting, placement, design, construction, operation, monitoring, modification and decommissioning of such installations will address public safety, minimize impacts on environmental, scenic, natural and historic resources and provide clean, domestically-sourced alternatives to our existing and future energy supply needs.

Section 2. Definitions

For the purposes of this ordinance, the following terms shall have the following meanings:

- a. *Abandoned solar energy system*: A solar energy system that has not been used for the intended purpose, has reached the end of its useful life or been disconnected from the distribution system for a period of 90 days or more.
- b. *Accessory solar energy system*: A solar energy system that is incidental and subordinate to the principal use of the parcel and designed to supply energy for the primary use. An accessory use cannot exist without a primary use on the same lot; it may be either a roof-mounted or ground-mounted system.
- c. *Array area*: The total land area used to calculate coverage; including the perimeter fencing, solar panels, inter-row spacing and all supporting components.
- d. *Brownfield site solar energy system*: An impaired site that is recognized by the state Department of Environmental Management; such as real property or site as defined by federal law, including, but not limited to 42 U.S.C. 9601 et. seq. or as defined by participation and qualification in a program established by RIGL 23-19.14-5.1 and maintained by RIDEM, or as those properties which had previously been operated as mines, quarries, or gravel pits as identified on the Town of Tiverton Land Use Map and for which no subsequent use has been adopted by the land owner.
- e. *Decommissioning/restoration plan*: A plan for dismantling a solar energy system, along with a plan for the site restoration, with a financial guarantee for the completion of the dismantling and restoration after the system is no longer operational and/or disconnected from the distribution system.
- f. *Emergency access*: A secondary access to the array area that will accommodate emergency response personnel and vehicles.
- g. *Energy storage facility*: A principal or accessory facility that stores energy that is electrically integrated with a solar system, such that the energy storage facility charges from the solar generation and discharges to the electrical grid.

- h. Fenced area:* The area within a perimeter safety fence that surrounds the solar energy system and associated components.
- i. Ground-mounted solar energy system:* An accessory or principal solar energy system that is structurally attached to the ground and is not supported by a structure or building.
- j. Interconnection:* The point at which the solar energy system is connected to the electric distribution system.
- k. Inverter:* A component of the equipment that converts Direct Current (DC) electricity from the solar panels in to Alternating Current (AC) electricity on which the electric grid operates.
- l. Kilowatts or kW:* A measure of 1,000 watts of electrical power.
- m. Megawatts or MW:* A measure of 1 Million watts of electrical power.
- n. Panel coverage:* Individual pane surface area multiplied by the number of panes.
- o. Photovoltaic (PV) panels/solar panels/solar modules:* Panels that absorb sunlight as a source of energy to generate electricity.
- p. Principal solar energy system:* A ground-mounted solar energy system that is the primary and only use occupying a single parcel, and may not be a separate lot within a proposed or recorded residential subdivision.
- q. Racking:* The infrastructure equipment used to secure solar panels to various surfaces; roofs, building facades or the ground.
- r. Roof-mounted solar energy system:* A solar energy system that is structurally attached to the roof of a building or structure.
- s. Solar canopy:* A solar energy system that generates electricity installed above a permeable and/or non-permeable existing or new parking area and associated access and walkway areas (as recognized by the local building/zoning department), which is installed in a manner that maintains the function of the area beneath the canopy.
- t. Solar energy:* Radiant energy received from the sun that can be collected in the form of heat or light by solar panels.

- u. *Solar energy system (SES)*: The sum of the components and subsystems required to collect and convert solar energy into electrical energy suitable for use, storing or transferring. Solar energy systems are further defined as system types:
 - (1) *Roof-mounted system*: An accessory SES for electricity generation secondary to the use of the premises for other lawful purposes. An accessory SES cannot exist without a primary use on the same lot.
 - (1a) *Solar canopy system*: An accessory or principal use SES for electricity generation installed above an existing or new parking area and associated access and walkway areas. The medium or large system shall be subject to Development Plan Review by the Planning Board under Zoning Article XX, and the unique requirements contained within this Zoning Ordinance, and shall require approval by the Planning Board and the recording of an as-built plan.
 - (2) *Energy storage facility*: An accessory or principal facility that stores energy from direct solar generation to be stored, and at a future point discharged into the electrical grid (other than a residential accessory facility) and shall be subject to Development Plan Review by the Planning Board under Zoning Article XX or as determined by the Planning Board, and the unique requirements of this ordinance.
 - (2a) *Residential accessory energy storage facility*: An accessory energy storage facility that stores energy from direct solar generation to be stored, and used at future point for the lawful primary use, and shall be subject to approval by the Building Official.
 - (3) *Small system*: An accessory use ground-mounted SES for electricity generation secondary to the primary use of the premises used for other lawful purposes. An accessory SES array area shall consist of no more than 1,600 square feet and shall meet all the applicable Zoning Article V district requirements and be subject to approval by the Building Official and the unique requirements of this ordinance.
 - (4) *Medium system*: A ground-mounted SES for electricity generation as a primary use or lawful accessory use consisting of 1,601-40,000 square feet array area. A medium system shall be subject to Development Plan Review by the Planning Board under Zoning Article XX, and the unique requirements contained within this ordinance, and shall require the recording of an as-built plan and all legal documents approved by the Planning Board.
 - (5) *Large system*: A principal ground-mounted SES for commercial generation of electricity as the primary and only use of the parcel, with an array area greater than 40,000 square feet. A large system may not be installed on one (1) or more lots of a recorded or proposed residential subdivision. A large SES shall be subject to review as a Major Land Development and the unique requirements contained within this ordinance.
- v. *Solar energy system owner*: The owner of the equipment and appurtenances comprising the solar energy system, said entity may also be the solar energy system operator.

Section 3. District Use Regulations

P = Permitted

S = Special Use Permit

N = Not Permitted

Type of System	Zoning Districts										
	R-30	R-40	R-60	R-80	GC*	HC	I	VC	W	OS	WP
Roof-mounted	P	P	P	P	P	P	P	S	P	N	P
Small SES	S	S	S	S	P	P	P	N	N	N	S
Medium SES	S	S	S	S	S	P	P	N	N	N	S
Large SES	S	S	S	S	S	P	P	N	N	N	S

GC* includes: General Commercial

NB- Neighborhood Business

TMS- Traditional Main Street

PFD- Pedestrian Friendly Destination

Section 4. District Dimensional Regulations

- Frontage: Access to the installation shall be a minimum of fifty (50) feet wide on a roadway or easement connecting the development to a public way. The construction and maintenance of the access roadway shall be a minimum of sixteen (16) feet wide or as required by the Fire Marshal. The grade, surface conditions and drainage facilities shall meet Town standards.
- Setbacks: Ground-mounted system setbacks are specific to individual zoning districts. Required setbacks shall be measured from the edge of the panel or associated equipment, not including any perimeter fencing.
- Array area: The array area is inclusive of the entire area within and including the perimeter fencing and determines the coverage. A SES that functions as an accessory use shall calculate the additional array area in the allowable lot coverage for the zoning district. The Nonquit and Stafford Pond Watershed Protection Overlay Districts shall not exceed 10% lot coverage including the array area of a ground-mounted solar energy system.
- Height: The maximum height of a ground-mounted system shall be twelve (12) feet, or as deemed reasonable by the Planning Board. The height for a ground-mounted system shall be measured from the ground level or the base of the system's pedestal to the highest point of the solar energy system, including the top of any support structure or panel.

Type of System	Zoning District	Frontage	Front Setback	Rear Setback	Side Setback	Array Area
Small SES	R-30	120 ft	35 ft	40 ft	20 ft	20%
	R-40	120 ft	35 ft	40 ft	20 ft	20%
	R-60	120 ft	35 ft	40 ft	20 ft	20%
	R-80	120 ft	35 ft	40 ft	20 ft	20%
Medium SES	R-30	50 ft	100 ft	100 ft	100 ft	20%
	R-40	50 ft	100 ft	100 ft	100 ft	20%
	R-60	50 ft	100 ft	100 ft	100 ft	20%
	R-80	50 ft	100 ft	100 ft	100 ft	20%
Large SES	R-30	50 ft	250 ft	250 ft	250 ft	20%
	R-40	50 ft	250 ft	250 ft	250 ft	20%
	R-60	50 ft	250 ft	250 ft	250 ft	20%
	R-80	50 ft	250 ft	250 ft	250 ft	20%
Medium SES	GC*	100 ft	100 ft	100 ft	100 ft	50%
Large SES	GC*	100 ft	100 ft	100 ft	100 ft	50%
Medium SES	HC	50 ft	200 ft	200 ft	200 ft	50%
Large SES	HC	50 ft	200 ft	200 ft	200 ft	50%
Medium SES	I	50 ft	200 ft	200 ft	200 ft	75%
Large SES	I	50 ft	200 ft	200 ft	200 ft	75%
Brownfield Sites, Impaired Sites; Landfills, Quarries, Gravel Pits *						
Medium SES		50 ft	100 ft	100 ft	100 ft	80%
Large SES		50 ft	100 ft	100 ft	100 ft	80%

*See Section 9.

Section 5. Application Requirements

For medium and large ground arrays the following supplements application requirements. The review, construction, operation and demolition of solar energy systems shall comply with all applicable Federal, State and local requirements, including, but not limited to, all public safety, construction, electric code and communication requirements. All buildings and fixtures associated with a solar energy system shall be constructed in accordance with the Rhode Island State Building Code and shall obtain a statewide solar permit from the Building Official prior to the commencement of construction.

- a. Solar energy systems shall be designed and manufactured to comply with applicable industry standards, as may be amended from time to time, including but not limited to, the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM) and other appropriate certifying organizations as may be required by Federal or State Laws or utility regulation.
- b. Medium and large solar energy system applications shall follow the established process for Development Plan Review or Major Land Development Review as described in the Tiverton Land Development and Subdivision Regulations.
- c. All plans shall be prepared, stamped and signed by a registered professional licensed for each required discipline to practice in Rhode Island.
- d. Name, address, signature and contact information shall be provided on the application for the proposed system installer/operator, land owner, applicant and designated agents representing the project.
- e. The applicant shall provide a project narrative, which shall contain the name of the project, a summary of the proposed facility, a description of the facility's context in relation to neighboring land uses and environmental features and the means and methods planned to minimize or mitigate off-premises impacts to abutting land use, a project schedule, a statement regarding the proposed energy usage of the property (if applicable) and an estimation of annual tax revenue.
- f. The applicant shall submit and receive all required Federal, State or local permits prior to the Final Plan approval.
- g. Roof and ground-mounted SES shall be subject to meet all RI Fire Code Regulations to ensure compliance with all Rhode Island Fire Laws, prior to Planning Board approval and issuance of a building permit
- h. Ground-mounted installations on active agricultural land shall be evaluated by the Planning Board for the location within the total acreage, and shall be sited to minimize the impact to prime agricultural soils or soils of statewide importance wherever possible. No topsoil or prime agricultural soil shall be removed from the site for installation of the facility. All soils retained shall be reused in the landscaping/vegetative plan for the site.
- i. A rendering or photo simulation shall be provided showing the proposed completed project including landscaping.
- j. Electrical diagrams detailing the solar energy system installation, associated components, electrical interconnection methods with all State Electrical Code and required disconnects and overcurrent devices shall be shown on the plans.

- k. Principal solar energy systems connecting directly to a distribution or transmission system must submit a feasibility study that may include technical, economic, legal and scheduling considerations.
- l. Any off-site impacts or infrastructure upgrades necessary to enable the SES shall be identified, especially to any existing street trees within the connection and/or that may affect public or private rights-of-way prior to issuing a building permit. When such street trees may be impacted, the Tiverton Tree Warden shall submit a written advisory opinion to the Building Official on the extent of the off-site impacts and a recommendation for mitigation of the impacts.
- m. Documentation of the major system components to be used, including the electric generating photovoltaic panels, racking system, inverter(s), and inverter enclosure shall be provided, including applicable Safety Data Sheets (SDS). If the solar panels or equipment contain hazardous materials, a containment area allowing all acceptable practices to be utilized in controlling any release into the environment is required. Hazardous solar panel or storage materials are not allowed within the Stafford Pond and Nonquit Pond Watershed Overlay Districts.
- n. Provide for medium and large ground-mounted solar energy systems an Operation and Maintenance Plan, a Decommission Plan, an Emergency Response Plan, and any required Easement Agreements or Surety Agreements for recording in the Town's Land Evidence Records.
- o. Material (equipment) or site design modifications to a solar energy system made after issuance of the statewide solar building and electric permits shall require approval by the Planning Board and if determined they are major changes an amended plan and an as-built plan may be required.
- p. Proof of liability insurance shall be provided for a solar energy system installed on Town-owned property.
- q. Nothing herein shall preclude the Town from installing a solar energy system on any Town-owned or controlled property regardless of the zoning district.

Section 6. Roof Mounted Systems

- a. Roof-mounted systems shall be reviewed for compliance by the Building Official or designee and is the permitting authority.
- b. A shingle or solar panels installation requires a standard red rectangle sign stating "photovoltaic power source" and shall be mounted in the immediate area of the electric meter. A PV power source disconnect accessible from the ground shall be installed in the same area.
- c. Roof mounted structures are exempt from any screening devices.

- d. Solar canopy systems for existing structures shall be reviewed for compliance by the Building Official and is the permitting authority.
- e. Medium and large solar canopy systems for new structures shall be subject to Development Plan Review by the Planning Board under Zoning Article XX, and the unique requirements contained within this ordinance. Siting issues include accessing setbacks, visual impacts, stormwater and snow management and aesthetics. They shall require the recording of an as-built plan and all legal documents approved by the Planning Board.

Section 7. Design Standards: Ground-Mounted Solar Energy Systems

- a. On-site drainage management and erosion and sedimentation control measures shall conform to the current Rhode Island Stormwater Design and Installation Standards Manual, the Rhode Island Soil Erosion and Sediment Control (SESC) Handbook, and all applicable town regulations.
- b. The ground cover and subgrade beneath the solar panels and associated equipment shall be designed to provide a stable, structural surface capable of supporting the components of the solar energy system. Newly installed ground cover shall be comprised of Rhode Island native plantings to provide ecological and erosion control benefits. Use of herbicides to clear, prepare or maintain the area beneath the panels, between the panels or the vegetative buffer shall require written approval from the Tiverton Conservation Commission if the development is located in a Watershed Protection Overlay District.
- c. A proposed primary access shall have a minimum frontage of fifty (50) feet to a public road, a medium or large SES shall provide a sixteen (16) foot wide access roadway to the array area gate, and a minimum of twelve (12) feet between the inter-row panels. The required width and construction materials shall have final approval of the Fire Marshal and the Department of Public Works Director or designee.
- d. Large solar energy systems shall provide a perimeter roadway inside the fencing of the installation and a minimum distance between the fencing and panels of sixteen (16) feet or as required by the Fire Marshal for emergency response vehicles.
- e. A large SES may be required to provide a second access point in to the installation for emergency response personnel and vehicles or as determined by the Planning Board.
- f. Medium and large solar energy systems shall be enclosed by perimeter fencing designed to prevent unauthorized access, of no less than seven (7) and no more than ten (10) feet in height, and comply with the current Rhode Island Department of Environmental Management fencing ground clearance standard. Barbed wire fencing is prohibited.

- g. Exterior lighting of the solar energy system/site shall be consistent with Federal, State and local laws. Lighting of appurtenant structures shall be limited to that required for safety and operation purposes, and shall be reasonably shielded from abutting properties. A photometric plan, if required for site LED lighting shall be full cut-off fixtures approved by the International Dark Sky Association.
- h. Signs shall comply with Tiverton's sign ordinance. Ground-mounted systems shall identify the owner/operator and provide a local twenty-four (24) hour emergency contact telephone number.
- i. Noise generated by ground-mounted solar energy systems and associated equipment shall conform to applicable State and local noise regulations. The broadband sound shall be measured at the property line and the nearest inhabited residence.
- j. Incorporate landscaping and design elements to visually screen the installation from view of public roads and abutting properties and promote an environmentally friendly habitat. Depict on the site plan both existing and proposed vegetation.
 - (1) A newly landscaped vegetative buffer shall consist of a mix of deciduous and evergreen species plants from the Rhode Island native plant database, and the Landscape Plan shall be prepared by a Rhode Island registered landscape architect.
 - (2) An existing or proposed vegetative buffer shall be a minimum of six (6) feet in height and a medium or large SES shall maintain a vegetative buffer thirty (30) feet wide and may be within the required setback.
 - (3) Planting of the vegetative screen shall be completed prior to final site inspection of the solar energy installation. A landscape surety may be required for two (2) growing seasons and released only by vote of the Planning Board.
 - (4) Setbacks may be increased if, in the opinion of the Planning Board based on evidence reviewed by the Board or submitted by abutters, existing and/or proposed screening will not be adequate to minimize the visual impact.
 - (5) The Landscape Plan may utilize groundcover that promotes a habitat for fauna and a vegetative buffer designed to create nesting and food sources for local habitat.
 - (6) Notwithstanding other requirements of this section, small systems shall require fence screening or vegetation surrounding the perimeter of the installation.
- k. Power and communication lines running between the banks of solar panels to the off-site electric distribution system shall be buried underground. Exemptions may be granted by the Planning Board where written documentation is sufficient that indicates elements of the natural landscape interfere with the ability to bury the power and communication lines.

- l. All appurtenant structures, including but not limited to, equipment shelters, transformers, and substations, whenever reasonable, shall be screened from view by vegetation or fencing to avoid adverse visual impacts.
- m. An energy storage facility shall meet all existing applicable zoning standards for a structure, any unique requirements within this ordinance and any additional measures as determined by the Tiverton Conservation Commission, the Fire Marshal, and the Planning Board to offset potential risks to a neighborhood or the environment.

Section 8. Operation Standards: Ground-Mounted Solar Energy Systems

- a. The Operation and Maintenance Plan shall include measures for:
 - (1) Site access- the owner/operator shall be responsible for maintenance of all site access, perimeter roadway(s) and inter-row spacing to allow for the passage of personnel and maintenance or emergency vehicles.
 - (2) Emergency responders- plan approval is required from the Tiverton Fire and Police Departments to address public safety and emergency personnel and vehicle access.
 - (3) Stormwater management- plan approval required by Federal or State agencies and the Department of Public Works Director or designee.
 - (4) Landscape maintenance- a quarterly mowing/trimming schedule shall be provided to maintain the groundcover as required by the Fire Marshal.
 - (5) Installation maintenance- the owner/operator shall be responsible for the cost of maintaining the installation in good physical condition; including equipment, perimeter fencing and structural repairs. Malfunctioning or inoperable equipment shall be removed from the property and disposed of in accordance with all applicable Federal, State and local regulations.
- b. The applicant shall develop an Emergency Response Plan approved by the Fire Marshal, the plan includes all means of shutting down the solar energy installation. The operator shall provide the name of an authorized contact person throughout the life of the installation. The name of the designated individual shall be kept current and on file with the Town's Building Official, the Director of the Department of Public Works and the Tiverton Police and Fire Departments.
- c. A surety shall not be required for a Municipal or State-owned facility.
- d. A medium or large ground-mounted SES or energy storage facility Decommission Plan shall include a cash or bond surety approved by the Planning Board of a sufficient amount to ensure removal of the installation and restoration of the site once the system ceases to operate or is abandoned.

- (1) The physical removal of all solar energy facility structures and foundations, equipment, security barriers, fencing, and transmission lines from the site shall commence within ninety (90) days from the day the system has been abandoned.
 - (2) Disposal of all contaminated and hazardous waste in accordance with all Federal, State and local laws, regulations and ordinances, and including the guidelines of Applicable Rhode Island Fire Laws.
 - (3) Stabilization, re-vegetation or reforestation of the site including the access and perimeter roadways in accordance with a plan that is in compliance with all State and local laws, regulations and ordinances necessary to minimize erosion. Upon commencement of the decommissioning, the work should be completed within one (1) year.
- e. Provide written notification to the Planning Board and Building Official within ninety (90) days of the proposed date of discontinued operation and plans for removal. The schedule shall be submitted to the Building/Zoning Official.
 - f. Compliance with the approved site restoration plan shall be reviewed and inspected by the Planning Board's Consultant Engineer and enforced by the Zoning Official or designee.
 - g. The cash or bond surety shall only be released by vote of the Planning Board at the written recommendation of the Zoning Official.
 - h. If the owner/operator of a medium or large ground-mounted SES or energy storage facility fails to remove the facility within ninety (90) days of either abandonment or the proposed date of decommissioning, following notification and a public hearing the Planning Board may vote to call the surety and the Town may physically remove the installation and restore the site.

Section 9. Brownfield and Impaired Sites- Solar Energy Systems

- a. Brownfield Site Pending Remediation: A parcel that has been identified and confirmed by the Rhode Island Department of Environmental Management (RIDEM) as containing hazardous material contamination through issuance of a "Letter of Responsibility", but has not yet been remediated to the satisfaction of RIDEM.

Application materials submitted shall include the applicable dimensional and site design requirements described in this ordinance with the following additional requirements:

- (1) All brownfield site projects shall be advertised and noticed pursuant to the requirements for a public hearing notwithstanding the Zoning District.
- (2) A medium or large solar energy system shall be the single use for the site and there shall be no further subdivision of the site prior to decommissioning.

- (3) An Advisory Opinion from the Planning Board for a Special Use Permit or Variance may include a recommendation outside the limits listed in Section 4. District Dimensional Regulations for the array area or setbacks allowed on the parcel, which the Advisory shall constitute a rebuttable presumption that the recommended array area or setbacks are the least relief necessary.
 - (4) Provide the “Letter of Responsibility” and “Remedial Approval Letter” from RIDEM and all applicable attachments prior to Final Plan approval.
 - (5) Provide a copy of the deed with an Environmental Land Use Restriction (ELUR) required by RIDEM that may be imposed on the brownfield site along with a narrative explaining the content of the restriction.
 - (6) Submit a site plan and supporting materials delineating the extent of the contamination previously or currently existing on the site and the extent of the disturbance that will be required to perform the approved remediation activities, including square footage calculations of said areas compared to the total area of the subject site.
- b. Remediated and Restricted Brownfield Site: A parcel that (1) has been identified and confirmed by RIDEM to contain contamination, (2) remediation activities have been conducted to the satisfaction of RIDEM as documented with a “Letter of Compliance” and an “Interim Letter of Compliance” and (3) RIDEM has required the use of the property to be restricted through an ELUR.

Application materials submitted shall meet the applicable dimensional and site design requirements described in this ordinance with the following additional requirements:

- (1) All brownfield site projects shall be advertised and noticed pursuant to the requirements for a public hearing notwithstanding the Zoning District.
- (2) A medium or large solar energy system shall be the single use for the site.
- (3) An Advisory Opinion from the Planning Board for a Special Use Permit or Variance may include a recommendation outside the limits listed in Section 4. District Dimensional Regulations for the array area or setbacks that may be allowed on the parcel, which the Advisory shall constitute a rebuttable presumption that the recommended array area or setbacks are the least relief necessary.
- (4) Provide the “Letter of Compliance” or “Interim Letter of Compliance” from RIDEM prior to Final Plan approval.
- (5) Provide written confirmation from RIDEM that the proposed solar energy system is consistent with the requirements for maintaining compliance.

- (6) Provide a site plan and supporting materials delineating the extent of the remediation activities and any clearing that was necessary due to remediation activities, including square footage calculations of contaminated areas compared to the total area of the subject site.
- c. In granting the Special Use Permit the Zoning Board of Review may make the additional following Findings of Fact:
- (1) Permitting use of the parcel for a brownfield site solar energy system will:
 - (a) Allow remediation of a brownfield site by offsetting the cost of such remediation and allowing a beneficial use of the property to occur; or
 - (b) Allow an already disturbed property to be used for a renewable energy generation, directing solar energy systems away from less desirable areas, such as forested areas and prime agricultural lands.
 - (2) The size of the brownfield site solar energy system considers and is reflective of the size of the contaminated area, any land use restrictions placed on the site, the amount of disturbance necessary to remediate the contaminated area, the cost of remediation activities, and any potential negative visual impacts to the surrounding neighborhood.

Section 10. Solar Energy Systems Fee & Licensing

- a. Fees:

A Planning Board fee shall accompany medium and large ground-mounted solar energy system applications and an escrow account established by the applicant shall be provided for Planning Board consultant reviews and inspections. The Planning Board shall review the fee and escrow schedule on an annual basis and provide a recommendation to the Town Council for approval.
- b. Licensing:
 - (1) Required: A license approved by the Town Council shall be required prior to the operation of any principal solar energy system or storage energy facility within the Town.
 - (2) Issuance: A principal solar energy system license may be issued to the permittee by the Town Council upon final approval of the Building Official meeting all legal requirements and payment of the established fee. A license shall be valid for one (1) year, renewing annually.
 - (3) Renewal: A principal solar energy system license may be renewed by the Town Council upon receipt of a written report from the Zoning Official and Fire Marshal noting any violations that may have occurred and corrective actions taken. The Town Council may require a performance surety as a condition for license renewal if it determines, in its sole discretion that substantial deficiencies exist. The Decommission surety shall be automatically renewed

at the time of licensing for a minimum of twenty (20) years, or for the anticipated life of the solar energy system.

The provisions of this ordinance are severable, and the invalidity of any section, subsection, paragraph or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

This ordinance shall become effective upon passage.

Adopted by the Town Council March 12, 2018

Repealed by the Town Council November 26, 2018