

Ordinance No. \_\_\_\_\_

An ordinance regulating solar system installations

Be It Ordained by the Board of Mayor and Alderman of the City of Tullahoma, Tennessee:

Section 1. Title:

This chapter shall be known as the Solar Energy Systems Ordinance for the City of Tullahoma.

Section 2. Purpose:

The purpose of this chapter is to promote the use of solar energy and to provide for the land planning, installation and construction of solar energy systems in Tullahoma subject to reasonable conditions that will protect the public health, safety and welfare.

Section 3. Classification:

- A. Solar energy systems shall be allowed in any zoning district and may be installed upon receipt of the necessary construction, electrical and/or mechanical permit(s). This ordinance applies to solar energy systems to be installed and constructed for residential or commercial use.
- B. Solar energy systems that are the primary use of a lot are governed by other sections of this zoning ordinance or the subdivision regulations.

Section 4. Definitions:

“Solar energy system” means any solar collector or other solar energy device, or any structural design feature, mounted on a building or on the ground, and whose primary purpose is to provide for the collection, storage and distribution of solar energy for space heating or cooling, for water heating or for electricity.

“Solar energy” means radiant energy (direct, diffuse, and reflected) received from the sun.

Section 5. Applicability:

- A. This ordinance applies to solar energy systems to be installed and constructed after the effective date of the ordinance, and all applications for solar energy systems on existing structures or property.
- B. Solar energy systems constructed prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance.

- C. Any upgrades, modifications or changes that materially alter the size or placement of an existing solar energy system shall comply with the provisions of this chapter.

#### Section 6. Design and Installation:

- A. To the extent applicable, the solar energy system shall comply with the provisions of the International Building code, 2006 Edition as amended.
- B. The design of the solar energy system shall conform to applicable industry standards.

#### Section 7. Setbacks and Height Restrictions:

- A. Solar energy systems may be installed as long as it meets the requirements of this chapter and all other applicable construction codes.
- B. Ground-mounted Solar Energy system
  - 1. Solar energy system must comply with all setback and height requirements for the zoning district where the solar energy system is installed.
  - 2. All exterior electrical and /or plumbing lines must be buried below the surface of the ground and be placed in a conduit.
  - 3. A ground-mounted solar energy system must comply with the accessory structure restrictions contained in the zoning district where the ground-mounted solar energy system is installed.
- C. Roof Mounted Solar Energy System.
  - 1. A solar energy system shall conform to the height regulations of the zoning district where the solar energy system is installed.
- D. Waivers
  - 1. Upon request, the governing body may grant waivers of the setback or height requirements, provided that the waiver will not present any undue hardships on the adjoining property.
  - 2. The governing body shall take into consideration the support or opposition of adjacent property owners in granting waivers of setback or height requirements.

Section 8. Effective Date:

This ordinance shall take effect immediately upon passage.

Approved 1<sup>st</sup> reading\_\_\_\_\_, 2011

Approved 2<sup>nd</sup> reading\_\_\_\_\_, 2011

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Mayor

Attest: City Recorder