

TOWN OF METOMEN
FOND DU LAC COUNTY, WISCONSIN

Amendment to Zoning Ordinance Regarding Solar Energy Systems

The Town Board of the Town of Metomen, Fond du Lac County, Wisconsin, with quorum present and voting, and having received a recommendation of the Town of Metomen Plan Commission and conducting a public hearing thereon, hereby ordains the following amendments to the Town of Metomen Zoning Ordinance:

Article XIII is created to read:

12.01 Solar Energy Systems.

- (1) Purpose. The purpose of this Section is to provide regulatory scheme for the construction and operation of Solar Energy Systems other than ground or wall mounted solar powered light fixture and solar powered electric fences in the Town of Metomen, Fond du Lac County, Wisconsin. All regulations contained herein are adopted to preserve and protect the public health and safety.
- (2) Definitions.
 - (a) Solar Energy System. Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy. “Solar Energy System” excludes solar powered light fixtures that are ground or wall mounted and solar powered electric fences.
- (3) Permit Required. No Solar Energy System may be installed or maintained in the Town of Metomen without a Solar Energy System Permit granted pursuant to this ordinance.
- (4) Application. Every application for a Solar Energy System Permit shall be made in writing and shall include the following information:

- (a) Name and address of the applicant.
- (b) Evidence that the applicant is the owner of the property involved or has the written permission of the owner to make such an application.
- (c) Scaled drawing of the Solar Energy System and its dimensions, its location, its height above ground level, orientation, and slope from the horizontal.
- (d) Site plan showing lot lines and dimensions of the Solar Energy System user's lot and neighboring lots that will be affected by the Solar Energy System.
- (e) Documentation showing that no reasonable alternative location exists for the Solar Energy System that would result in less impact on neighboring lots.
- (f) Documentation showing that removing or trimming vegetation on the applicant's lot will not permit an alternative location for the Solar Energy System that would result in less impact on neighboring lots.
- (g) Such additional information as may be reasonably requested.
- (h) Any of the information required by this section may be waived by the Town at its discretion.
- (i) An applicant for a solar energy system exceeding 10 MW shall deposit an application fee of \$10,000 with the Town at the time the application is filed. All costs incurred by the Town relating to the review and processing of the application, including the cost of services necessary to review an application that are provided by outside engineers, attorneys, planners, environmental specialists, and other consultants or experts shall be billed against the deposit. The applicant shall maintain a minimum of \$5,000 in the account until the review process and construction (if approved) is completed. If the balance in the account drops below \$5,000, the applicant shall deposit additional money to bring the account balance to \$7,500 within five (5)

business days. The Town will refund any remaining balance in the account within 60 days after the final inspection of the constructed solar energy system. The Town reserves the right to refuse review of an application in the event an applicant fails to comply with this subsection.

(5) Review of Solar Energy System Permit Application. The Town will consider each Solar Energy System on a case-by-case basis. The Town may deny a permit for a Solar Energy System or may impose restrictions on a Solar Energy System if the Town finds that the denial or restrictions satisfy one of the following conditions:

- (a) The denial or restriction serves to preserve or protect the public health or safety.
- (b) The denial or restriction does not significantly increase the cost of the system or significantly decrease its efficiency.
- (c) The denial or restriction allows for an alternative system of comparable cost efficiency.

(6) Solar Energy System Restrictions. The Town may impose restrictions on a Solar Energy System relating to any of the following:

- (a) Location of the Solar Energy System.
- (b) Setbacks from inhabited structures, property lines, public roads, communication and electrical lines, and other sensitive structures and locations.
- (c) Wiring and electrical controls of the Solar Energy System.
- (d) Reimbursement for emergency services required as a result of the Solar Energy System.
- (e) Solar Energy System ground clearance.
- (f) Solar Energy System height.
- (g) Decommissioning and reclamation.
- (h) Any other matters that the Town finds appropriate.

(7) Revocation. Any permit granted for the installation or maintenance of a Solar Energy System may be revoked by the Town if the permit holder, its heirs, or assigns, violates the provisions of this ordinance or the provisions of a permit granted pursuant to this ordinance.

All other provisions of the Town of Metomen Zoning Ordinance remain in full force and effect.

The Town Clerk and Town Attorney are hereby authorized and directed to take all action necessary to implement this Ordinance and incorporate its terms into the Town of Metomen Zoning Ordinance.

Dated this _____ day of _____, 2021.

TOWN OF METOMEN

By: _____
Jeff Amend, Chairperson

Attest:

Cindy Sheskey, Town Clerk