

**Walker Township
Juniata County, Pennsylvania
Ordinance No. 2024 - 1**

AN ORDINANCE OF WALKER TOWNSHIP, JUNIATA COUNTY, PENNSYLVANIA,
AMENDING WALKER TOWNSHIP ZONING ORDINANCE TO PROVIDE FOR
ACCESSORY SOLAR ENERGY SYSTEMS (ASES) AND PRINCIPAL SOLAR ENERGY
SYSTEMS (PSES)

WHEREAS, Section 1506 of the Second-Class Township Code authorizes Walker Township Board of Supervisors (“Township”) to adopt ordinances necessary for the proper management, care and control of the Township and the health and welfare of the Township and its citizens; and

WHEREAS, Walker Township seeks to promote the general health, safety and welfare of the community by adopting and implementing and better providing for and regulating the uses of solar energy systems within the Township; and

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

SECTION 1. PURPOSE.

This Ordinance Regulating the Uses of Solar Energy Systems and Accessory Structures is adopted to advance and protect the public health, safety and welfare of the citizens of Walker Township by creating regulations for the installation and use of solar energy systems and accessory structures, with the following objectives:

- (A) To create harmony between the private landowners of Walker Township and possible incoming solar energy companies that are looking to develop within Walker Township;
- (B) To mitigate the impacts of solar energy systems on environmental resources such as important agricultural lands, forests, wildlife, waterways, and other protected resources;
- (C) To encourage a sense of pride in the Township and allow residents, farms, businesses, and possibly the local government to take advantage of the potential financial benefits of solar energy systems and;
- (D) To diversify personal and community energy resources by allowing the freedom to install solar energy systems and accessory structures to help reduce energy costs.

SECTION 2. DEFINITIONS.

SOLAR-RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

SOLAR CELL: The smallest basic solar electric device which generates electricity when exposed to light.

SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.

SOLAR ARRAY: A grouping of multiple solar modules with the purpose of harvesting solar energy.

ACCESSORY SOLAR ENERGY SYSTEMS (ASES): An area of land or other area used for a solar energy system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. Ground-mounted or freestanding Solar Energy Systems with an output size of not greater than 10kw shall be considered Accessory Solar Energy Systems. Roof-mounted Solar Energy Systems on the roofs of buildings on-site used primarily for on-site use shall have no limit as to energy output. An accessory solar energy system consists of one (1) or more free-standing ground-or roof-mounted solar arrays or modules, or solar related equipment, and is intended to primarily reduce on-site consumption of utility powers or fuels.

AGRIVOLTAICS: The co-development of the same area of land for both solar photovoltaic power and conventional agriculture.

GLARE: The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

PRINCIPAL SOLAR ENERGY SYTEM (PSES): An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground- or roof -mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR ENERGY SYSTEM: An area of land used for a solar collection system principally to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power. This shall include all other accessory structures related to the Solar Energy System including buildings, structures, substations, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.

SOLAR PANEL: That part or portions of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR PROJECT AREA: The total area of land including the Principal Solar Energy System, the space between solar arrays, stormwater management area, access drives, fencing and internal access roads. The Solar Project Area does not include any area outside of the fenced facility set aside for agriculture uses and designed to be adequate for the maneuverability of typical farm equipment.

SECTION 3. ACCESSORY SOLAR ENERGY SYSTEMS (ASES)

A. Regulations Applicable to All Accessory Solar Energy Systems:

1. ASES shall be permitted as an Accessory Use in all zoning districts.
2. Permit Requirements: The following permit requirements are applicable to all Accessory Solar Energy Systems:
 - a. The building permit shall be revoked if the ASES, whether new or pre-existing is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the ASES not to be in conformity with this Ordinance.
 - b. The ASES must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or being detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, The Township, or its authorized agent, shall give written notice specifying the violation to the owner of the ASES and directing the owner to conform or to remove the ASES.

B. Regulations applicable to roof-mounted and wall-mounted ASES:

- a. A roof-mounted or wall mounted ASES may be located on a principal or accessory building.
- b. ASES mounted on roofs of any building shall be subject to the maximum height of (6) six feet above the roof.
- c. Wall-mounted ASES shall be (12) twelve feet from any property line.
- d. Solar panels shall not extend beyond any portion of the roof edge.
- e. For roof-mounted and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of the Township and that the roof or wall is capable of holding the load imposed on the structure.

C. Regulations applicable to ground mounted ASES:

1. The minimum yard setbacks must be (20) twenty feet all around from the property line or right-of-way.
2. Ground-mounted ASES shall not be located in the front yard.
3. The total surface area of the arrays of ground mounted ASES on the property shall not exceed more than (15) fifteen percent of the lot area.
4. Ground-mounted ASES shall not exceed (15) fifteen feet in height above the ground elevation surrounding the systems.
5. Appropriate safety/warning signage concerning voltage shall be placed at ground-mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.
6. Ground-mounted ASES shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

SECTION 4. PRINCIPAL SOLAR ENERGY SYSTEMS (PSES)

A. Regulations Applicable to All Principal Solar Energy Systems (PSES)