



1. PSES shall be permitted in all zoning districts within Walker Township with the exception of the Single-Family Residential District. PSES is not permitted in this District.
2. PSES shall not be placed within any legal easement or right-of-way location or be placed within any stormwater conveyance system or in any manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance.
3. Permit Requirements.
  - a. PSES shall comply with the Walker Township Subdivision and Land Development Ordinance requirements through submission of a Land Development Plan.
    1. Ground-mounted PSES do require submission of a land development plan in accordance with the Walker Township Subdivision and Land Development Ordinance.
    2. Roof-mounted PSES do not require submission of a land development plan.
  - b. The installation of PSES shall be in compliance with all applicable permit requirements, codes and regulations.
  - c. The PSES owner and/or operator shall repair, maintain and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition.
4. Plan Requirements.
  - a. A report and plan highlighting the existing conditions of the property shall be included in the submission to the municipality. The information should highlight existing vegetation, topography and other existing natural features.
5. Noise Study.
  - a. A noise study is required at the owner's expense and shall not exceed a maximum of (60) dBA during the daytime hours and (55) dBA during the nighttime hours.



6. Glare.

- a. All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways. Exterior surfaces shall have a non-reflective finish. A glare study is required at the owner's expense to ensure compliance with this Ordinance.
- b. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

7. Decommissioning.

- a. At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to the municipality secure its obligations under this Ordinance.
- b. At the time of issuance of the permit for the construction of the PSES, the owner shall provide evidence that financial security will be in place at the start of commercial operation in the form and amount of a bond, irrevocable letter of credit, or other financial security acceptable to the township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, in the amount of 110% of the estimated decommission cost minus the salvageable value. The decommissioning estimate may include an amount for potential environmental remediation if the township or its engineer requires the same in its sole reasonable discretion.
- c. On every 5<sup>th</sup> anniversary of the date of providing the decommissioning financial security, the PSES owner shall provide and submit for approval an updated engineer's decommission cost estimate, in the same manner as the initial submission, and the bond, letter of credit or other financial security acceptable to the township shall be adjusted upward or downward as necessary. If the decommissioning security amount changes, the PSES owner shall remit the increased financial security to the Township within (30) thirty days of the approval of the updated decommissioning security estimate by the Township.
- d. Decommissioning security estimates shall be subject to review and approval by the Township and the PSES developer/owner shall be responsible for administrative, legal, and engineering costs incurred by the municipality for such review.



- e. The decommissioning security may be in the form of cash, letter of credit, or an investment grade corporate guarantee rated BBB-/Baa3 or better by S & P, Moody's, or AM Best, as applicable.
- f. Prior to approval of any plan or permit for a PSES, the PSES developer shall enter into a Decommissioning Agreement as to the decommissioning of PSES.
- g. The solar energy system owner shall notify the Township immediately upon cessation or abandonment of the operation. The solar energy system shall be presumed to be discontinued or abandoned if no electricity is generated for (6) six continuous months.
- h. The solar energy system owner shall have (12) twelve months from abandonment or decommission in which to dismantle and remove the solar energy system including solar related equipment or appurtenance related hereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property. If the owner fails to dismantle and/or remove the solar energy system within the established timeframes the municipality may complete decommissioning at the owner's expense and place a lien against the property if those expenses are not reimbursed to the Township.
- i. The solar energy system owner shall, at the request of the Township, provide information concerning the amount of energy generated by the solar energy system in the last (12) twelve months.

#### 8. Solar Easements.

- a. Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.
- b. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:
  - i. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;

