

**1. Walker Township**  
**Juniata County, Pennsylvania**  
**Ordinance No. 2026 - \_\_\_\_\_**

**AN ORDINANCE OF WALKER TOWNSHIP, JUNIATA COUNTY,  
PENNSYLVANIA, AMENDING WALKER TOWNSHIP ZONING ORDINANCE TO  
PROVIDE FOR ACCESSORY SOLAR ENERGY SYTEMS (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

1. **SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.
2. **SOLAR MODULE:** A grouping of solar cells with the purpose of harvesting solar energy.
3. **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 **with prior inspection**.
- 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 (300) square feet.
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).**

##### **1. Regulations Applicable to All Principal Solar Energy Systems (PSES)**

1. PSES shall be permitted in the Forest District only South of Route 333.
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 to 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 aid 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) 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 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 **property** owner fails to dismantle and/or remove the solar energy system within **(12) twelve months** and 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 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.

1. 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.
2. 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 easements 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;
  - ii. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;
  - iii. Enumerate terms and conditions, if any under which the easement may be revised or terminated; and
  - iv. Explain the compensation for the owner of the real property subject to the solar

easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

3. If required, a PSES owner and /or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

9. Environmental Protection.

- a. All PSES shall be set back 300 feet from a property listed on, eligible for listing on, the National Register of Historic Places as designated by the State Historic Preservation Office of the National Park Service.

10. Fencing

- a. The fencing setback shall be the edge of the right -of-way or no less than 10 feet off the edge of the pavement

11. Security.

- a. All ground-mounted PSES shall be completely enclosed by a minimum of (8) eight-foot-high fence. The fence shall meet setback requirements noted in this section.
- b. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the PSES informing individuals of potential high voltage.

12. Access.

- a. At a minimum, **an access road shall meet State/Township regulations and requirements** provided from the state or municipal roadway into the site. Access points must be designed to accommodate the largest construction traffic that will be entering the site.
- b. Between the solar arrays and the fence, an emergency access drive shall be provided to allow access for maintenance vehicles and emergency management. The width of this drive shall be (20) twenty feet in width. Emergency access drive width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it.
- c. Access to the PSES shall comply with the access requirements in the Walker Township Subdivision and Land Development Ordinance.
- d. All access points, whether temporary or permanent shall be required to obtain a PennDOT or Township Roadway Occupancy Permit.

### 13. Lighting

- a. PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority. This shall include any indicator lights/beacons, which shall not be visible beyond the property line of the project site, whether solid or flashing.

### 14. Agrivoltaics.

- a. Agrivoltaics are permitted subject to the following:
  1. Only shade-tolerant crops are permitted.
  2. Plowing is prohibited; no-till application is required
  3. Cutting or mowing is limited to a height of no less than (4) four inches and a maximum of (18) eighteen inches.
  4. Application of chemical fertilization or herbicides/pesticides is limited to the agronomic needs of the crop(s).

### B. Regulations applicable to roof or wall mounted PSES.

1. The applicant shall provide evidence that the plans comply with the Uniform Construction Code and the adopted building code of the Township and that the roof is capable of holding the load imposed on the structure.
2. PSES mounted on the roof of any building shall be subject to the maximum height regulations of (6) six feet.

### C. Regulations applicable to Ground Mounted PSES.

1. Ground mounted PSES shall be adequately screened from adjoining residential structures with an (8) eight-foot privacy fence.
2. If Solar Panels run along a road the setback is (300) feet from the edge of the right-of-way.
3. Solar Panels must be (300) feet from property line of any adjoining property.
4. Privacy screening/fencing for adjoining properties will be at the discretion of the Township.
5. Landscaping must be maintained.
6. Grass must be kept cut and cannot be over (18") inches high.
7. A ground -mounted PSES shall not be located in any area within 500 feet measured horizontally from a building which is owned by a school district or school and used for instruction purposes, a park or a playground (.) the rest of the sentence was removed

## SECTION 5. ALL SOLAR ENERGY SYSTEMS.

- A. The following regulations apply to all solar energy systems, including principal solar energy systems (PSES) and accessory solar energy systems (ASES).
- B. (first sentence removed) Any physical modification to an existing solar energy system, whether or not existing prior to the effective date of this Ordinance that materially alters the solar energy system shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

- C. The solar energy system layout, design and installation shall conform to applicable industry standards such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, shall comply with the PA Uniform Construction Code as enforced by the Township and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- D. Upon completion of installation, the solar energy system shall be maintained in working order in accordance with standards of the Walker Township codes under which the solar energy system was constructed. Failure of the property owner to maintain the solar energy system in good working order is grounds for appropriate enforcement actions by the Township in accordance with applicable ordinances.
- E. All on-site transmission and plumbing lines shall be placed underground to the extent feasible.
- F. No portion of the solar energy system shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
- G. Prior to the issuance of a permit, the solar energy system applicants must acknowledge in writing that the issuing of said permit shall not and does not create in the property, it's, his, her, or their successors assigns in title or, create in the property itself;
  - a. The right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property or;
  - b. The right to prohibit the development on or growth of any trees or vegetation on such property.
  - c. This acknowledge shall be submitted to the municipality and placed on any required subdivision and/or land development plans.
- H. Stormwater requirements.
  - a. Stormwater management for the solar energy system shall be in accordance with the Walker Township Stormwater Management Ordinance and the Pennsylvania Department of Environmental Protection (DEP) FAQ Documents entitled "Chapter 102 Permitting for Solar Panel Farms", dated January 2, 2019, as applicable and as most recently revised. In the event that criteria within the PA DEP FAQ document discussed above cannot be fully met, a detailed stormwater analysis including post-construction stormwater management (PCSM) and BMP requirements will be required.
  - b. The individual solar modules within an array shall be arranged in the following fashion:
    - i. Individual solar modules shall be arranged in a fashion that allows the passage of runoff between each module, minimizing the creation of runoff, and

- ii. Individual solar modules shall not be larger than industry standards at the time of procurement. Further, solar modules shall allow sufficient space between modules to allow for water to pass between them to support a proper vegetative cover to avoid erosion.
- c. The Township does not consider the solar panels as an impervious surface.

## SECTION 6. GENERAL PROVISIONS.

- A. Inspections.** The Township or authorized agents shall have the authority to cause plans, structures, lots or system components to be inspected, examined or reviewed for any ASES or PSES to determine whether or not they are in conformity with the provisions of this Ordinance.
- B. Enforcement.** Any person who violates or permits a violation pursuant to this Ordinance shall, upon conviction in a summary proceeding brought before the Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution, including attorney's fees. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not to exceed 90 days. Each five-day continuance of a violation of the provisions of this chapter shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.
- C. Repealer.** All provisions of previous Ordinances of Walker Township which are contrary to this Ordinance are expressly repealed. The Ordinance repeals and removes the requirement that a special exception or conditional be obtained under the existing Walker Township Zoning Ordinance.
- D. Severability.** The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this Ordinance.
- E. Effective Date.** This Ordinance shall take effect in accordance with law.

ENACTED AND ORDAINED on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

BOARD OF SUPERVISORS OF WALKER TOWNSHIP

\_\_\_\_\_  
Walker Township Secretary

BY: \_\_\_\_\_  
David Hostler, Chairman

BY: \_\_\_\_\_  
George Hazard

BY: \_\_\_\_\_  
Cory Deihl

CERTIFICATE

I, THE UNDERSIGNED, Secretary of the Township of Walker, Juniata County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly enacted by affirmative vote of a majority of the members of the Board at a meeting held on \_\_\_\_\_, 2026; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly being published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

(SEAL)

\_\_\_\_\_  
Secretary