ORDINANCE NO. 2023-1

TOWNSHIP OF WINFIELD

BUTLER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF WINFIELD,
BUTLER COUNTY, PENNSYLVANIA,

AMENDING ITS ZONING ORDINANCE, SETTING FORTH
ITS REGULATION OF ALTERNATIVE ENERGY SOURCES
AND AMENDING ITS PROCEDURES FOR CONDITIONAL
USES APPLICATION REVIEW

WHEREAS, the Township of Winfield has enacted a consolidated Zoning Ordinance, Ordinance No. 07-05, on September 27, 2007, and amended by Ordinance No. 2015-1 and Ordinance No. 2017-1; and

WHEREAS, the Winfield Township Board of Supervisors has the power to protect the health, safety, and welfare of the people and property in the Township; and

WHEREAS, the Winfield Township Zoning Ordinance as currently written does not expressly provide for the use or regulation of Alternative Energy Sources and the Conditional Uses Application Review procedures need to be amended to comply with the Municipalities Planning Code (MPC); and

WHEREAS, the Winfield Township Board of Supervisors desires to expressly provide for the use and regulation of Alternative Energy Sources and to amend the procedures for Review of Conditional Uses Application within the Township.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Winfield Township Board of Supervisors that the following amendments to its Zoning Ordinance, the Township Zoning Ordinance, Ordinance No. 07-05, as amended, are hereby adopted:

SECTION 1. ARTICLE III, §3.01 Definition of Terms, is amended by adding the following new terms and definitions (underscored language):

ACCESSROY SOLAR ENERGY SYSTEM

A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use and is not utility scale, except that when a lot upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company. See also SOLAR ENERGY SYSTEM, SMALL.

ACCESSORY WIND ENERGY SYSTEM

A system is considered a small wind energy system only if it supplies electrical power solely for on-site use and is not utility scale, except that when a lot on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

AGRIVOLTAIC ENERGY

Use of the same area of land to obtain both solar energy and agricultural products. Solar panels coexist with crops on the same area of land or lot.

ALTERNATIVE ENERGY

A renewable source of energy generated from solar, water, wind, geothermal, or similar sources, which is capable of providing energy and utility provisions to a permitted use.

ALTERNATIVE ENERGY SYSTEM

A private system capable of converting solar, water and/or wind into a viable energy source and utility provisions for a permitted use. Such systems may include solar panels, wind turbines, geothermal systems and/or other similar alternative energy systems.

BUILDING-MOUNTED SYSTEM

A solar photovoltaic system attached to any part or type of roof on a building or structure that has an occupancy permit on file with the Township and that is either the principal structure or an accessory structure. This system also includes any solar-based architectural elements.

FACILITY OWNER

An individual or entity having an equity interest in an alternative energy facility, including their respective successors and/or assigns.

GEOTHERMAL TERMS

CLOSED HORIZONTAL LOOP GEOTHERMAL SYSTEM

A mechanism for heat exchange which consists of the following basic elements: underground loops of piping; heat transfer fluid; a heat pump; an air distribution system. An opening is made in the Earth. A series of pipes are installed into the opening and connected to a heat 4 exchange system in the building. The pipes form a closed loop and are filled with a heat transfer fluid. The fluid is circulated through the piping from the opening into the heat exchanger and back. The system functions in the same manner as the open loop system except there is no pumping of groundwater. A horizontal closed loop system shall be no more than twenty feet (20') deep.

CLOSED VERTICAL LOOP GEOTHERMAL SYSTEM

A borehole that extends beneath the surface. Pipes are installed with U-bends at the bottom of the borehole. The pipes are connected to the heat exchanger and heat transfer fluid is circulated through the pipes.

GEOTHERMAL BOREHOLES

A hole drilled or bored into the earth into which piping is inserted for use in a closed vertical loop geothermal system.

GEOTHERMAL ENERGY SYSTEM

An energy generating system that uses the Earth's thermal properties in conjunction with electricity to provide greater efficiency in the heating and cooling of buildings.

OPEN LOOP GEOTHERMAL SYSTEM

Water is pumped from a water well or other water source into a heat exchanger located in a surface building. The water drawn from the Earth is then pumped back into the ground through a different well or in some cases the same well, also known as "re-injection." Alternatively, the groundwater could be discharged to a surface water body also known as a "pump and dump." In the heating mode, cooler water is returned to the Earth, and in the cooling mode, warmer water is returned to the surface water body or well.

GROUND-MOUNTED SYSTEM

A solar photovoltaic system mounted on a structure, pole, or series of poles constructed specifically to support the photovoltaic system and not attached to any other structure.

ICE THROW

Any ice gathered on the rotating blades of a wind turbine that detaches and is thrown.

INTERCONNECTION

The technical and practical link between the renewable energy generators, including hybrid sources such as wind, solar, geothermal, and multiple units of each, the storage batteries, the controllers, and the grid providing electricity to the greater community.

NET METERING

A mechanism that provides a simplified approach for interconnecting and metering on-site renewable generating facilities, such as a solar PV system. It allows customers to use excess solar electric generation to offset utility purchased electricity on a monthly or annual basis.

PRINCIPAL SOLAR ENERGY PRODUCTION FACILITY

An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities consist of one 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 and facilities, which has a rated capacity of more than ten (10) kilowatts (for electricity) or rated storage volume of the system of more than two hundred forty (240) gallons or that has a collector area of more than one thousand (1,000) square feet (for thermal). See also SOLAR ENERGY PRODUCTION FACILITY, LARGE.

PRINCIPAL WIND ENERGY PRODUCTION FACILITY
An area of land or other area used for a wind energy conversion system principally used to capture wind energy and convert it to electrical energy. Large wind energy production facilities consist of one or more wind turbines, tower, and associated control or conversion electronics and other accessory structures and buildings including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities, which has a rated capacity of more than one hundred (100) kilowatts.

SMALL WIND TURBINE DEVICE
Shall mean and include small wind turbine devices, wind generators and systems producing from one (1) to one (1) kWh of electricity and which are designed to be mounted on a pole or tower or to be attached to the principal or an accessory structure, and used solely to generate power to serve structure(s) located on the same lot.

SOLAR COLLECTION SYSTEMA solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat.

SOLAR ENERGY PRODUCTION FACILITY, LARGE
An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities 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 and facilities. A facility is considered a large solar energy production facility if it is a utility scale facility and if it supplies electrical or thermal power primarily for off-site use.

SOLAR ENERGY SYSTEM, SMALL
A solar collection system consisting of one (1) or more roof and/or ground mounted solar collector devices and solar related equipment that is intended to primarily reduce on-site consumption of utility power. A system is considered a small solar energy system only if it supplies electrical or thermal power solely for on-site use and is not utility scale, except that when a lot upon which the facility is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company. See also ACCESSORY SOLAR ENERGY SYSTEM.

SOLAR FLOWER (SMARTFLOWER)
A flower-shaped solar panel array that attracts the sun and is completely portable.

STORAGE BATTERIES
Batteries that store electricity from renewable sources which is used directly to power a household, farm, or business with utility power as back up.

TURBINE HEIGHT
The distance measured from the surface of the tower foundation to the highest point of the turbine rotor pane.

VIEW SHED
The geographical area of land, water, or other environmental elements that is visible to the human eye from a fixed vantage point or location. It includes all surrounding points that are in "line-of-sight" with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g., buildings, trees).

WIND ENERGY FACILITY
An electric generating facility, with the purpose of electricity supply, consisting of one (1) or more wind turbines and other ancillary associated buildings and structures, including sub-stations, meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.

WIND TURBINE
A wind energy system that converts wind energy into electricity through the use of a wind turbine generator, which may be of horizontal or vertical shaft designs.

SECTION 2. ARTICLE V, §5.02 Permitted Uses, is amended by adding the following text (underscored language):

RESIDENTIAL/AGRICULTURAL DISTRICT (RA)

Permitted Accessory Uses

7. Accessory Solar Energy Systems, subject to §5.04.

8. Accessory Geothermal Energy Systems, subject to §5.04.

Conditional Uses (See Article VII)

13. Principal Solar Energy Production Facility, Large, subject to §5.04.

14. Accessory Wind Energy System, subject to §5.04.

15. Principal Wind Energy Facility, Large, subject to §5.04.

16. Geothermal Energy Facility, Principal, subject to §5.04.

COMMERCIAL DISTRICT (C)

Permitted Accessory Uses

5. Geothermal Energy Systems, Accessory, subject to §5.04.

Conditional Uses (See Article VII)

8. Accessory Solar Energy Systems, subject to §5.04.

9. Accessory Wind Energy System, subject to §5.04.

10. Principal Wind Energy Facility, Large, subject to §5.04.

11. Geothermal Energy Facility, Principal, subject to §5.04.

MANUFACTURING DISTRICT (M)

Permitted Accessory Uses

4. Accessory Solar Energy Systems, subject to §5.04.

5. Geothermal Energy Systems, Accessory, subject to §5.04.

Conditional Uses (See Article VII)

8. Principal Solar Energy Production Facility, Large, subject to §5.04.

9. Accessory Wind Energy System, subject to §5.04.

10. Principal Wind Energy Facility, Large, subject to §5.04.

11. Geothermal Energy Facility, Principal, subject to §5.04.

SECTION 3. ARTICLE V, §5.04 Limitations on Uses, is amended by adding the following text (underscored language):

8. Alternative Energy Sources

    1. Purpose. This section is meant to provide for the safe, effective, and efficient use of installed alternative energy systems and facilities that reduce on-site consumption of utility-supplied energy while protecting the health, safety, and welfare of adjacent and surrounding properties and land uses. It is the Township's goal to provide property owners and businesses owners and operators with the flexibility of satisfying their on-site energy needs and assuring continuing electrical supply during utility blackouts for such necessities as pumping well water and running freezers, refrigerators, air conditioners, and lighting for health and safety. Furthermore, it is a secondary goal of the Township that through the progressive employment of renewable energy technologies, a reduction in the overall energy demands within the Township are realized.

    2. General Design and Installation Standards. The alternative or renewable energy system must be constructed to comply with all applicable State, Federal and Local Uniform Construction Codes (UCC) in effect when a building permit application is filed with the Township. The alternative energy system shall also comply with any and all regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the UCC, except where an applicable industry standard has been approved by the Pennsylvania Department of Labor and Industry under its regulatory authority. Submission of a permit application to the Township is required.

    3. Accessory Solar Energy Systems

        a. A system is considered an accessory solar energy system only if it supplies electrical or thermal power primarily for on-site use, except that when a lot upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

        b. Accessory solar energy systems are permitted as a use by right in the RA Residential/Agricultural District and the M Manufacturing District and approval shall require a zoning permit from the Township.

            Accessory solar energy systems are permitted as a conditional use in the C Commercial District.

        c. The owner of the accessory solar energy system shall provide written confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned solar generator and approves of such connection. Off-grid systems shall be exempt from this requirement.

d. The Property owner installing the solar energy system shall notify the local fire department and Township about said installation in writing and pass any information received from the fire department or Township on to the installer in writing.

e. Code and Regulation Compliance:

i. Compliance with FAA Regulations. Construction of any solar energy facility shall comply with all applicable rules, laws and regulations of the United States Federal Aviation Administration, documentation of compliance shall be provided to Township.

Solar energy systems shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

ii. Compliance with State Construction Codes. To the extent applicable, all solar energy systems shall comply with the Pennsylvania Uniform Construction Code and regulations promulgated by the Pennsylvania Department of Labor and Industry.

iii. All electrical components of solar energy systems shall conform to relevant and applicable local, State and National Codes, and relevant and applicable international standards.

iv. Fencing of ground-mounted systems shall comply with National Electric Code.

f. Design and Installation:

i. All exterior electrical and/or plumbing lines must be buried below the surface of the ground and be placed in a conduit.

ii. Solar energy systems shall not display advertising, except for reasonable identification nameplate of the facility manufacturer, not greater than 6" x 6" in size.

iii. Solar energy systems installed on the roof of a building shall:

(1) Be installed such that no more than seventy-five percent (75%) of the roof area is covered by the panels.

(2) Include a pathway that is three feet (3’) wide maintained along three sides of the solar roof.

a. The bottom edge of a roof with a slope that exceeds 2:12 shall not be used as a pathway.

b. All pathways shall be located over a structurally supported area and measured from edge of the roof and horizontal ridge to the solar array or any portion thereof.

c. Pathways are not required on non-occupied accessory structures.

d. Systems that include a solar array section that is larger than 150 feet measured in length or width shall have additional intermediate pathways. An intermediate pathway not less than three feet (3') wide separating the array shall be provided for every 150 feet of array including offset modules or angled installations. The maximum square footage of an array shall not exceed 22,500 square feet. without the installation of an intermediate pathway.

iv. Where solar roofing shingles are installed on the roof of a building the shingles shall be installed such that one hundred percent (100%) of the visible roof from the street shall be covered by the solar roofing shingles, whether active or not. Identical non-solar shingles must be used three feet (3') from all edges of the roof and shall be utilized to cover visible roof not being used for solar energy.

v. Any solar energy system installed on a sloped roof of a building shall comply with the height requirements of the zoning district in which the lot is located and shall be no higher than eighteen inches (18") from the roof to which it is mounted, measured perpendicular to the roof.

For systems mounted on flat roofs, the height shall be no greater than six feet (6') from the roof, measured perpendicular to the roof.

vi. Ground-mounted or freestanding systems shall not be permitted in front yards.

(1) When a lot abuts two streets, the yard abutting each street shall be considered front yards for purposes of placing panels on the lot.

vii. Active solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.

(1) Roof-mounted Solar Energy Systems - In addition to the building setback, the collector surface and mounting devices for roof-

mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.

(2) Ground-mounted Solar Energy Systems - Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.

viii. No solar energy system(s) may exceed in total thirty percent (30%) of the total site and in no case shall exceed the maximum lot coverage for the district in which the lot is located.

ix. Solar energy systems shall meet the accessory structure setbacks and other regulations that may apply in the zoning district in which the facility is constructed and where no such setback is specified, the system shall be no closer than thirty-five feet (35') from any lot line.

x. Solar energy systems shall not extend beyond the front building line of a residential structure and shall not encroach into the front yard.

xi. No system shall be attached to a tree or any other natural object or structure not intended to support such a facility.

xii. No system shall be installed closer than ten feet (10') to a swimming pool or other open body of water.

xiii. No portion of an accessory solar energy system shall be located within or above any front yard.

4. Principal Solar Energy Production Facilities, Large

a. A principal solar energy production facility is a property or lot principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities 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 and facilities. A facility is considered a large solar energy production facility if it supplies electrical or thermal power solely for off-site use.

b. Principal Solar Energy Production Facilities are permitted as a conditional use in the M Manufacturing District and in the RA Residential/Agricultural District.

i. In addition to the conditional use application requirements provided in Article VII of the Township's Zoning Ordinance, the following project

information shall be submitted to the Township as part of the Conditional Use application:

(1) Project narrative including the following: an overview of the project, project location, the approximate generating capacity, the number, representative types and heights of facilities to be constructed, including their generating capacity, dimensions, and respective manufacturers, and description of any ancillary facilities to the solar energy system.

(2) An affidavit or similar evidence of agreement between the property owner and the solar energy facility owner or operator, demonstrating permission to apply for necessary permits for construction and operation of a solar energy facility.

(3) Identification of the properties on which the proposed facility will be located and the properties adjacent to the proposed location.

(4) A site plan showing the planned location of each proposed solar energy facility, lot lines, setback lines, access roads, and the location of any ancillary structures, including equipment, cabling, buildings, structures, transmission lines, and substations.

(5) A view shed impact analysis, illustrating views of the proposed facility from multiple angles demonstrating that the facility blends into the surrounding scenery.

(6) A design certification by a certified engineer, consisting of the proposed foundation design and analysis of soil conditions.

(7) Solar Energy Facilities shall not exceed a maximum height of fifteen feet (15’), measured from the ground to the tallest point of the facility.

(8) Preliminary and Final Land Development approvals are required for the construction of any solar energy facility when it is the principal use on a site or lot.

c. The property owner installing the solar energy facilities shall notify the local fire department and Township about said installation in writing and pass any information received from the fire department or Township on to the installer in writing.

d. Noise Standards for Principal Solar Energy Production Facilities

i. Noise from any solar energy facility shall not exceed forty-five (45) decibels (dB) at the lot line dividing the site developed and all adjoining properties during operation. In the event that an Applicant is unable to meet the aforementioned requirements, the Applicant may either:

(1) Utilize appropriate noise mitigation measures that may include sound barriers or such technology or devices that will allow the Applicant to meet said noise requirements; or

(2) Obtain a release waiver of said noise requirements from the owners/renters of those properties which would be affected by noise conditions in excess of that allowed.

ii. If a person or persons shall have a complaint about noise level of a certain Principal Solar Energy Production Facility, they must provide the Township with dB test results along with the calibration certificate of the instrument used to test the dB levels. A sound level meter, dosimeter or other similar device may be used for measuring and reporting acoustic emissions from a solar energy facility.

e. Code and Regulation Compliance:

i. Compliance with FAA Regulations. Construction of any solar energy facility shall comply with all applicable rules, laws and regulations of the United States Federal Aviation Administration, documentation of compliance shall be provided to Township.

Solar energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

ii. Compliance with State Construction Codes. To the extent applicable, all solar energy facilities shall comply with the Pennsylvania Uniform Construction Code and regulations promulgated by the Pennsylvania Department of Labor and Industry.

iii. All electrical components of solar energy facilities shall conform to relevant and applicable local, State and National Codes, and relevant and applicable international standards.

iv. Fencing of ground-mounted systems shall comply with National Electric Code.

f. Design and Installation:

i. All exterior electrical and/or plumbing lines shall to the extent feasible be buried below the surface of the ground and be placed in a conduit.

ii. Solar energy facilities shall not display advertising, except for reasonable identification nameplate of the facility manufacturer, not greater than 6" x 6" in size.

iii. Solar Energy Facilities shall not exceed a maximum height of fifteen feet (15'), measured from the ground to the tallest point of the facility.

iv. All solar energy facilities and any associated equipment shall comply with all area, dimensional, and yard setbacks for the zoning district in which the facility is located, as well as any other zoning provisions that apply, including buffering and landscaping. Required landscape buffering may be modified so that tall tree species may be replaced with lower- growing tree species where the required tree species may interfere with the functioning of the solar energy facility, only where the required landscape buffer is adjacent to a lot where non-residential uses are permitted.

v. Secure perimeter fencing shall be installed around the solar energy facility in compliance with the National Electric Code.

vi. All mechanical equipment of principal solar energy systems including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provided with screening in accordance with the landscaping provisions of the municipal subdivision and land development ordinance.

5. Accessory Wind Energy Systems

a. A system is considered a small wind energy system only if it supplies electrical power solely for on-site use, except that when a lot on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

b. Accessory wind energy systems are permitted as a conditional use in RA Residential/Agricultural District, the M Manufacturing District, and the C Commercial District and approval shall follow the requirements of Article VII of this Ordinance.

c. The owner of the accessory wind energy system shall provide written confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned wind generator and approves of such connection. Off-grid systems shall be exempt from this requirement.

d. Code and Regulation Compliance:

i. Compliance with FAA Regulations. Construction of any wind energy system shall comply with all rules, laws and regulations of the United States Federal Aviation Administration. Documentation of compliance shall be provided to the Township.

Wind energy systems shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

ii. To the extent applicable, all wind energy systems shall comply with the Pennsylvania Uniform Construction Code and regulations promulgated by the Pennsylvania Department of Labor and Industry.

iii. All electrical components of wind energy systems shall conform to relevant and applicable local, State and National Codes, and relevant and applicable international standards.

e. Design and Installation:

i. Wind energy systems shall not display advertising, except for reasonable identification nameplate of the system manufacturer, not greater than 6" x 6" in size.

ii. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

iii. Yard /Setbacks Requirements:

(1) Accessory Use Detached from Building

a. Minimum lot area: 2 Acres

b. From buildings: 1.1 times the height of the wind energy system at its tallest point, measured from the bottom of the system base to the highest reach of any moveable or immobile part; except where the system is mounted to a building, the setback shall not be required between the system and the building to which it is attached or the principal structure setback for the district, whichever is greater.

c. From lot lines: 1.1 times the height of the wind energy system at its tallest point, measured from the bottom of the system base to the highest reach of any moveable or

immobile part or the principal structure setback for the district, whichever is greater.

d. From public roads: 1.1 times the height of the wind energy system at its tallest point, measured from the bottom of the system base to the highest reach of any moveable or immobile part or the principal structure setback for the district, whichever is greater.

e. Each vertically oriented wind energy system mounted on a building shall be separated from any other wind energy system by 1.1 times the height of the system, measured from the point at which the system is mounted to the building, to the highest reach of any moveable or immobile part of the system.

(2) Accessory Use Attached to a Building

a. Such devices shall be set back a minimum distance of 1.1 times the total height of the device and all equipment mounted thereon from all adjacent lot lines and from public or private street right-of-way lines. The total height shall include the height of any structure that a device is mounted on.

b. Such devices shall be set back from any accessory structure(s) on the subject lot not less than 1.1 times the total height of the device. The setback distance shall be measured from the center of the wind turbine base to the nearest point of the foundation of any accessory structure(s).

c. Minimum vertical clearance between the building and the exposed lowest moveable component of the wind energy facility when at its lowest point: 5 feet.

d. Small Wind Energy Facilities shall not exceed a maximum height of forty feet (40') measured from the ground to the tallest point on the facility.

iv. Where the system is an independent structure and not mounted to a building, forty feet (40') maximum height in RA Residential/Agricultural District, and sixty feet (60') feet in Commercial (C) and M Manufacturing Districts, measured from ground level to the tip of the wind energy system's blade fully extended perpendicular to the ground plane for horizontal shaft wind generators or to the top of the vertical shaft wind generator tower or pole.

Where the system is mounted to a building, the maximum height at the tallest point on the building shall be forty feet (40') high as measured from the ground.

v. Minimum vertical clearance between ground level and the lowest moveable component of the horizontal wind energy system when at its lowest point: fifteen feet (15'); where the system is mounted to a building, the minimum vertical clearance between the building and the lowest moveable component of the wind energy system when at its lowest point: five feet (5'). For a vertical shaft wind generator, the minimum clearance from ground level shall be five feet (5') except where the movable part is enclosed in the support structure of the system.

vi. The color shall be a neutral and non-reflective tone, as approved by the Township. The system coloring shall be a solid color and any alphabetical or numerical characters shall be representative of the system manufacturer only and shall comprise no more than one (1) square foot in size. A view impact analysis shall be conducted, illustrating views of the proposed system from multiple angles demonstrating that the system blends into the surrounding scenery.

vii. Access: Any climbing foot pegs or rungs below twelve feet (12') of a freestanding tower shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood may be fastened.

f. No more than two (2) wind turbines shall be permitted on any-one (1) lot. Separation of the wind turbines shall be a minimum of 1.1 times the height of the tower or pole and consistent with the setback requirements of the Zoning District.

g. Ice throw from rotating wind turbine blades must be limited to within the subject lot.

6. Principal Wind Energy Facilities, Large

a. A principal wind energy facility is a large wind energy production facility consisting of one or more wind turbines, tower, and associated control or conversion electronics and other accessory structures and buildings including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities, which has a rated capacity of more than one hundred (100) kilowatts.

b. Principal wind energy facilities are permitted as a conditional use in the RA Residential/Agricultural District, the M Manufacturing District, and the C Commercial District and approval shall follow the requirements of Article VII of this Ordinance.

i. The following project information shall be submitted to the Township for every proposed wind energy facility.

(1) Project narrative including the following: an overview of the project, project location, the approximate generating capacity, the number, representative types and heights of facilities to be constructed, including their generating capacity, dimensions, and respective manufacturers, and description of any ancillary facilities to the wind energy system.

(2) An affidavit or similar evidence of agreement between the property owner and the wind energy facility owner or operator, demonstrating permission to apply for necessary permits for construction and operation of a wind energy facility.

(3) Identification of the properties on which the proposed facility will be located and the properties adjacent to the proposed location.

(4) A site plan showing the planned location of each proposed wind energy facility, lot lines, setback lines, access roads, and the location of any ancillary structures, including equipment, cabling, buildings, structures, transmission lines, and substations.

(5) A view shed impact analysis, illustrating views of the proposed facility from multiple angles demonstrating that the facility blends into the surrounding scenery.

(6) A design certification by a certified engineer, consisting of the proposed foundation design and analysis of soil conditions.

c. The owner of the accessory wind energy system shall provide written confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned wind generator and approves of such connection. Off-grid systems shall be exempt from this requirement.

d. Noise Standards for Principal Wind Energy Facilities

i. Noise from any wind energy facility shall not exceed forty-five (45) dB at the lot line dividing the site developed and all adjoining properties during operation. In the event that an Applicant is unable to meet the aforementioned requirements, the Applicant may either:

(1) Utilize appropriate noise mitigation measures that may include sound barriers or such technology or devices that will allow the Applicant to meet said noise requirements; or

(2) Obtain a release waiver of said noise requirements from the owners/renters of those properties which would be affected by noise conditions in excess of that allowed.

ii. If a person or persons shall have a complaint about noise level of a certain Principal Wind Energy Facility, they must provide the Township with dB test results along with the calibration certificate of the instrument used to test the dB levels. A sound level meter, dosimeter or other similar device may be used for measuring and reporting acoustic emissions from a wind energy facility.

e. Code and Regulation Compliance:

i. Compliance with FAA Regulations. Construction of any wind energy facility shall comply with all rules, laws and regulations of the United States Federal Aviation Administration. Documentation of compliance shall be provided to the Township.

Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

ii. To the extent applicable, all wind energy facilities shall comply with the Pennsylvania Uniform Construction Code and regulations promulgated by the Pennsylvania Department of Labor and Industry.

iii. To the extent applicable, all wind energy facilities shall comply with the Endangered Species Act and Migratory Bird Treaty Act. The Land-Based Wind Energy Guidelines created by U.S. Fish and Wildlife Service may be used as reference.

iv. All electrical components of wind energy facilities shall conform to relevant and applicable local, State and National Codes, and relevant and applicable international standards.

f. Design and Installation:

i. Wind energy facilities shall not display advertising, except for reasonable identification nameplate of the facility manufacturer, not greater than 6" x 6" in size.

ii. Preliminary and Final Land Development Approval is required for the construction of any wind energy facility when it is the principal use on a site or lot

iii. Yard and Setback Requirements

(1) Minimum Lot Area: 2 Acres

(2) Maximum Density: 1 Facility/ 3.0-mile radius

(3) All setbacks shall be measured from the center of any wind energy facility base to the nearest point on the foundation of a building or lot line

iv. From off Premises Buildings: 1.5 times the height of the wind energy facility at its tallest point or the setback for the district in which the facility is located, whichever is greater.

v. From Lot Lines: 1.1 times the height of the wind energy facility at its tallest point or the setback for the district in which the facility is located, whichever is greater.

vi. From Public Roads: 1.1 times the height of the wind energy facility at its tallest point or the setback for the district in which the facility is located, whichever is greater.

vii. The maximum height of any wind energy facility, measured from ground level to the tip of the blade fully extended perpendicular to the ground plane, shall not exceed the maximum height of any structure as defined in the Township Zoning Ordinance for the applicable zoning district.

viii. Any individual wind energy facility shall be separated from any other wind energy facility by a minimum of 1.1 times the height of the facility, measured from the tips of the blades when the blades are parallel with ground level.

ix. No moving parts of the wind energy facility shall extend over parking areas, driveways, roads, sidewalks, or any other publicly accessible area, except access ways necessary to service the facility.

x. The facility coloring shall be solid neutral tones as approved by the Township. Any alphabetical or numeric characters shall be representative of the facility manufacturer only and shall comprise no more than four (4) square feet.

g. Ice throw from rotating wind turbine blades must be limited to within the subject lot.

7. Accessory Geothermal Energy Systems

a. Accessory geothermal energy system is an alternate energy system that is capable of capturing and converting hydrothermal energy into hydronic or electrical energy sources, to be used on that lot only.

b. Geothermal energy systems shall be permitted as an accessory use by right in the RA Residential/Agricultural District, the M Manufacturing District, and the C Commercial District.

   i. Only closed loop systems in the form of horizontal ground closed loop and vertical ground loop systems are permitted in accordance with the provisions of the Section.

   ii. Open loop systems are prohibited. This is meant to prevent the potential negative impacts that these systems can have on drinking water supplies and the environment.

   iii. The following project information shall be submitted to the Township for every proposed geothermal energy system:

      (1) A site plan, prepared, signed, and sealed by a qualified professional licensed in the Commonwealth of Pennsylvania, which identifies lot lines, lot area, location of existing natural and manmade features, location of the proposed closed-loop geothermal system, bore holes, ownership information for adjoining properties, and setback measurements from lot lines, street lines, and occupied buildings. Identification of the properties on which the proposed system will be located and the properties adjacent to the proposed location.

c. Code and Regulation Compliance:

   i. To the extent applicable, all geothermal energy systems shall comply with the Pennsylvania Uniform Construction Code and regulations promulgated by the Pennsylvania Department of Labor and Industry.

   ii. All electrical components of geothermal energy systems shall conform to relevant and applicable local, State and National Codes, and relevant and applicable international standards.

   iii. Only a Pennsylvania Department of Environmental Protection licensed well driller, or an IGSHPA-accredited geothermal system installer, shall conduct the drilling of a geothermal well. In all cases, the well drilling rig must also be approved by Pennsylvania Department of Environmental Protection.

d. Design and Installation:

   i. Geothermal energy systems shall not display advertising, except for reasonable identification nameplate of the facility manufacturer, not greater than 6" x 6" in size.

ii. Geothermal energy systems shall meet the accessory structure setbacks that may apply in the zoning district within which the system is constructed and where no such setback is specified, the system shall be no closer than thirty-five feet (35') from any lot line.

(1) Wells and boreholes regulated by this ordinance shall be located using the minimum setback distances to existing or potential sources of pollution listed in Table 1. For closed-loop geothermal wells and boreholes, which due to infeasibility, cannot conform to the requirements of Table 1, an appeal to the Township Engineer can be made detailing the infeasibility and the proposed location. Upon review, the Township Engineer may reduce the required setback distances.

WELL AND BOREHOLE SETBACKS

Setback From	**Borehole and Geothermal Supply and Geothermal Return Well (ft)**
Delineated wetlands, flood plains, lakes, ponds, or other surface water	10 - 25 ft
Storm drains, retention basins, stabilization ponds, or stormwater management facilities	At least 10 ft
Preparation area or storage area of hazardous spray materials, fertilizers, chemicals, or salt piles	300 ft 100 – 150 ft if borehole is cased and grouted inside
Gravity sewer lines and drains carrying domestic sewage or industrial waste	5 – 15 ft or according to easement
Existing water and forced sewer buried utilities and/or utility trenches	At least 15 ft or outside easement
Septic tanks, aerobic tanks, or holding tanks	At least 25 ft
Subsurface sewage disposal systems, elevated sand mounds, or other sewage disposal fields	25 – 50 ft
Sewage seepage pits and cesspools	at least 25 feet
Farm silos, barnyards, privies, and fuel tanks	at least 25 feet
Spray irrigation sites, sewage sludge, and septage disposal sites	at least 25 feet
Dedicated public right-of-way and lot lines	at least 10 feet
Building foundations (except for buildings enclosing water wells and/or water well pumps and any other source of pollution as approved)	at least 10 feet
Identified NPL Site (Superfund) plume area	at least 300 feet
Any other source or potential source of pollution	at least 300 feet

iii. The minimum required backfilling material for boreholes is bentonite. Bentonite grout shall be pure, with at least twenty percent (20%) solids by

weight when mixed with water. Hydration of the bentonite must be delayed until the bentonite has been placed down the well. It is recommended that the vertical boreholes are grouted from the bottom of the well to the top using an appropriate grout with thermal transfer properties. If the borehole penetrates bedrock, it must be grouted from a depth of fifteen feet (15') into the bedrock to the top of the borehole.

8. Principal Geothermal Energy Facility

   a. Principal geothermal energy facility is an alternate energy facility that is capable of capturing and converting hydrothermal energy into hydronic or electrical energy sources, to be used exclusively off-site.

      Principal geothermal energy facilities are permitted as a conditional use in the RA Residential/Agricultural District, the M Manufacturing District, and the C Commercial District and approval shall follow the requirements of Article VII of this Ordinance.

      i. The following project information shall be submitted to the Township for every proposed geothermal energy system:

         (1) Project narrative including the following: an overview of the project, project location, the approximate generating capacity, the number, representative types and heights of facilities to be constructed, including their generating capacity, dimensions, and respective manufacturers, and description of any ancillary facilities to the geothermal energy facility.

         (2) An affidavit or similar evidence of agreement between the property owner and the geothermal energy facility owner or operator, demonstrating permission to apply for necessary permits for construction and operation of a geothermal energy facility.

         (3) Identification of the properties on which the proposed facility will be located and the properties adjacent to the proposed location.

         (4) A site plan showing the planned location of each proposed geothermal energy facility, lot lines, setback lines, access roads, and the location of any ancillary structures, including equipment, cabling, buildings, structures, transmission lines, and substations.

         (5) A view shed impact analysis, illustrating views of the proposed facility from multiple angles demonstrating that the facility blends into the surrounding scenery.

(6) A site plan, prepared, signed, and sealed by a qualified professional licensed in the Commonwealth of Pennsylvania, which identifies lot lines, lot area, location of existing natural and manmade features, location of the proposed closed-loop geothermal system, bore holes, ownership information for adjoining properties, and setback measurements from lot lines, street lines, and occupied buildings. Identification of the properties on which the proposed facility will be located and the properties adjacent to the proposed location.

b. Code and Regulation Compliance:

i. To the extent applicable, all geothermal energy facilities shall comply with the Pennsylvania Uniform Construction Code and regulations promulgated by the Pennsylvania Department of Labor and Industry.

ii. All electrical components of geothermal energy facilities shall conform to relevant and applicable local, State and National Codes, and relevant and applicable international standards.

iii. Only a Pennsylvania Department of Environmental Protection licensed well driller, or an IGSHPA-accredited geothermal system installer, shall conduct the drilling of a geothermal well. In all cases, the well drilling rig must also be approved by Pennsylvania Department of Environmental Protection.

c. Design and Installation:

i. Geothermal energy facilities shall not display advertising, except for reasonable identification nameplate of the facility manufacturer, not greater than 6" x 6" in size.

ii. Geothermal energy systems shall meet the setbacks that may apply in the zoning district within which the system is constructed and where no such setback is specified, the system shall be no closer than thirty-five feet (35') from any lot line.

(1) All geothermal energy facilities and any associated equipment shall comply with all area, dimensional, and yard setbacks for the zoning district in which the facility is located, as well as any other zoning provisions that apply, including buffering and landscaping.

(2) Wells and boreholes regulated by this ordinance shall be located using the minimum setback distances to existing or potential sources of pollution listed in Table 2. For closed-loop geothermal wells and boreholes, which due to infeasibility, cannot conform to the requirements of Table 1, an appeal to the Township Engineer can be made detailing the infeasibility and the proposed location. Upon

review, the Township Engineer may reduce the required setback distances.

WELL AND BOREHOLE SETBACKS	
Setback From	**Borehole and Geothermal Supply and Geothermal Return Well (ft)**
Delineated wetlands, flood plains, lakes, ponds, or other surface water	10 - 25 ft
Storm drains, retention basins, stabilization ponds, or stormwater management facilities	At least 10 ft
Preparation area or storage area of hazardous spray materials, fertilizers, chemicals, or salt piles	300 ft 100 – 150 ft if borehole is cased and grouted inside and out
Gravity sewer lines and drains carrying domestic sewage or industrial waste	5 – 15 ft or according to easement
Existing water and forced sewer buried utilities and/or utility trenches	At least 15 ft or outside easement
Septic tanks, aerobic tanks, or holding tanks	At least 25 ft
Subsurface sewage disposal systems, elevated sand mounds, or other sewage disposal fields	25 – 50 ft
Sewage seepage pits and cesspools	at least 25 feet
Farm silos, barnyards, privies, and fuel tanks	at least 25 feet
Spray irrigation sites, sewage sludge, and septage disposal sites	at least 25 feet
Dedicated public right-of-way and lot lines	at least 10 feet
Building foundations (except for buildings enclosing water wells and/or water well pumps and any other source of pollution as approved)	at least 10 feet
Identified NPL Site (Superfund) plume area	at least 300 feet
Any other source or potential source of pollution	at least 300 feet

iii. The minimum required backfilling material for boreholes is bentonite. Bentonite grout shall be pure, with at least twenty percent (20%) solids by weight when mixed with water. Hydration of the bentonite must be delayed

until the bentonite has been placed down the well. It is recommended that the vertical boreholes are grouted from the bottom of the well to the top using an appropriate grout with thermal transfer properties. If the borehole penetrates bedrock, it must be grouted from a depth of fifteen feet (15') into the bedrock to the top of the borehole.

iv. Secure perimeter fencing shall be installed around the geothermal energy facility in compliance with the National Electric Code.

9. Decommissioning Accessory and Small Alternative Energy Facilities

a. An accessory or small alternative energy system (geothermal, solar, or wind) that has reached the end of its useful life shall be removed within six (6) months of such determination. A small alternative energy facility is considered to have reached its useful life when it has been inoperable for twelve (12) consecutive months. Time extensions may be granted by the Township Board of Supervisors when good faith efforts to repair the facility can be demonstrated.

10. Decommissioning Large Alternative Energy Facilities

a. The owner shall, at its expense, complete decommissioning of the large alternative energy facility or system if it is at end of useful life or remains unused for a period of twelve (12) consecutive months. The alternative energy system or facility will be presumed to be at end of useful life if no energy is generated for twenty-four (24) consecutive months.

b. The removal of the large alternative energy system or facility components, including but not limited to solar panels, wind turbines, heat pumps, buildings, cabling, electrical components, roads, foundations, mechanical equipment, and any other associated facilities, shall be completed within six (6) months of decommissioning of the large alternative energy facility or system. All disturbed earth shall be restored, graded, and reseeded.

i. Pipes or coils below the land surface shall be filled with grout to displace the heat transfer fluid. The heat transfer fluid shall be captured and disposed of in accordance with applicable regulations. The top of the pipe, coil or boring shall be uncovered and grouted.

ii. Lake geothermal systems shall be completely removed from the bottom of the body of water.

c. Decommissioning funds shall be posted and maintained with the Township in an account equal to one hundred twenty-five percent (125%) of the estimated decommissioning costs, for as long as the facility exists, regardless of change of ownership of the facility, system, or lot on which it sits.

Decommissioning funds shall be provided in one of the following forms: deposited into a refundable escrow account with the Township, a surety bond, or a letter of credit.

d. An independent and certified professional engineer shall estimate the total cost of decommissioning without regard to salvage value or the equipment.

e. If the system or facility owner shall fail to appropriately complete decommissioning, the Township may take such action as necessary to complete the decommissioning. The entry into and submission of evidence of a Participating Landowner Agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors, and assigns, that the Township may take such action as necessary to implement the decommissioning in accordance with the laws of the Township and the Commonwealth of Pennsylvania.

SECTION 4. ARTICLE VII Conditional Uses, §7.01 Procedure for Approval, is amended by deleting certain text (~~striketrough language~~) and by adding the following text (underscored language):3. Application Review

~~1. Township Planning Commission~~

~~Within 60 days following submission of an application to the Planning Commission the Planning Commission shall recommend in writing to the Township Board of Supervisors that the proposed conditional use be approved, approved with modifications, or disapproved. The Planning Commission, at the request of the Board of Supervisors, may call and hold a public hearing pursuant to public notice on the application for conditional use.~~

~~2. Township Board of Supervisors~~

~~At a public meeting, the Board shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before the Planning Commission. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.~~

~~Where the Board fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time.~~

~~When a decision has been rendered in favor of the applicant because of the failure~~

~~of the governing body to meet or render a decision as hereinabove provided, the governing body shall give public notice of the decision within ten days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act.~~

~~3. Nothing in this section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him no later than the day following its date.~~

a. Procedure. The Township Supervisors shall consider the conditional use application and render its decision in accordance with the requirements of the Pennsylvania MPC and this Ordinance, and subject to the requirements set forth below.

b. If a Land Development approval is required for the conditional use, the application for conditional use approval and the application for approval of a Land Development required by the Township's adopted SALDO may be processed concurrently or separately at the discretion of the Applicant, provided that all application requirements of both Ordinances for a conditional use and the Land Development plan are met.

c. Application Procedure. The Applicant shall submit an application for development for approval of a conditional use to the Zoning Officer or designated staff person of the Township. The application for development shall indicate the section of this Ordinance under which the conditional use is sought and shall state the grounds upon which it is requested.

d. Application Content. An application for approval of a conditional use shall include the following:

   i. One (1) copy of the application form provided by the Township and completed by the Applicant. If the Applicant is other than the landowner, the landowner's authorization of the application and the nature of Applicant's interest in the site shall accompany application.

   ii. Five (5) paper and one (1) electronic copies of a site plan meeting the requirements for a preliminary plan for Land Development as set forth in the SALDO and, in addition, demonstrating conformity with all requirements of this Ordinance.

   iii. Application fee and review fees established by resolution of the Supervisors to cover the cost of review.

e. Administrative review and determination of complete application. Within seven (7) working days after a conditional use application is submitted, the Township shall review the conditional use application for completeness of required submission items. Within said time, the Township shall notify the Applicant in writing if the conditional use application is incomplete and rejected, stating the deficiencies in the application and returning the filing fee. The Applicant may reapply, submitting the fee and missing material at any time.

f. The Township shall submit the complete conditional use application to the Township Planning Commission for review and recommendations. The Planning Commission shall review the application and make a written recommendation to the Supervisors. If the proposed development is also a Land Development, the Planning Commission shall also make a recommendation under the provisions of the SALDO.

g. The Supervisors shall hold a hearing, in accordance with §913.2 of the MPC, 53 P.S. §§ 10913.2, and public notice shall be given as defined in this Ordinance and in accordance with 908(1) of the MPC. The hearing shall be commenced by the Supervisors within sixty (60) days from the date of receipt of the Applicant's completed application, unless the Applicant has agreed in writing to an extension of time.

h. Conditions. In considering any conditional use, the Supervisors may attach reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as the Supervisors deems necessary to implement the purposes of the MPC and this Ordinance. A violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Ordinance.

i. Written Decision. In accordance with §908(10) of the MPC. The Supervisors shall render a written decision or, when no decision is called for, make written findings on the conditional use application within forty-five (45) days after the last hearing before the Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefore. A copy of the final decision or, where no decision is called for, the findings shall be delivered to the Applicant personally or mailed to him no later than the day following its date. To all other persons who have filed their name and address with the board not later than the last day of the hearing, the board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

j. Expiration. Conditional use approval shall expire automatically without written notice to the Applicant if no application for Subdivision and Land Development, Zoning Approval for structures, Zoning Approval for occupancy and use, or a

Grading or Building Permit to undertake the work described in the conditional use approval has been submitted within twelve (12) months of said approval, unless the Supervisors, in their sole discretion, extend the conditional use approval upon written request of the Applicant received prior to its expiration. The maximum extension permitted shall be one (1) twelve (12) month extension. The Supervisors may grant an extension for good cause shown by the Applicant and provided that the extension will not be contrary to the purposes of this Ordinance.

k. Effect on Prior Approvals. Conditional use approval, granted prior to the effective date of this Ordinance, shall expire automatically without written notice to the developer if no application for Subdivision and Land Development, Zoning Approval for structures, Zoning Approval for occupancy and use, or a Grading or Building permit to undertake the work described in the conditional use approval has been submitted within twelve (12) months of the effective date of this Ordinance or as specified in the approval, unless the Supervisors, in its sole discretion, extends the conditional use approval upon written request of the Applicant received prior to its expiration. The maximum extension permitted shall be one twelve (12) month extension.

l. All provisions of the SALDO which are not specifically modified by the Supervisors in approving a conditional use, shall apply to any conditional use involving Subdivision and Land Development.

m. Burden of Proof. In any application for conditional use, the Applicant shall have the persuasion burden and presentation duty to show compliance with this Ordinance, and the Applicant shall have the persuasion burden to show the Applicant's request is not detrimental to the health, safety, and welfare of the neighborhood.

SECTION 5. ARTICLE VII Conditional Uses, §7.02 Specific Requirements for Conditional Uses, is amended is amended by adding the following text (underscored language):

9. Accessory Solar Energy Systems, See Article V, Section 5.04, subsection 8(3)
10. Principal Solar Energy Production Facility, Large, See Article V, Section 5.04, subsection 8(4)
11. Accessory Wind Energy System, See Article V, Section 5.04, subsection 8(5)
12. Principal Wind Energy Facility, Large, See Article V, Section 5.04, subsection 8(6)
13. Geothermal Energy Facility, Principal, See Article V, Section 5.04, subsection 8(7)

SECTION 6. Effective Date.

This Ordinance shall take effect immediately upon adoption.

ORDAINED AND ENACTED this _____day of _____, 2023.

ATTEST:

_____
Rachel Altman, Secretary

TOWNSHIP OF WINFIELD

By: _____
Matt Klabnik, Chairman

By: _____
Michael P. Robb, Vice Chairman

By: _____
Glenn E. Nagle, Supervisor