

**VILLAGE OF PECATONICA  
ORDINANCE NO. 2024-19**

**AN ORDINANCE AMENDING CHAPTER 153 OF THE CODE OF ORDINANCES OF THE VILLAGE OF PECATONICA, ILLINOIS BY CREATING §153.011 REGARDING REGULATION OF THE USE OF SOLAR PANELS WITHIN THE VILLAGE**

**WHEREAS**, Chapter 153 of the Code of Ordinances of the Village of Pecatonica, Illinois (“Village”) authorizes the Village Board to regulate zoning within the Village of Pecatonica; and

**WHEREAS**, the Village desires to amend the provisions of Chapter 153 to include the regulation of the use of solar panels within the Village; and

**WHEREAS**, the creation §153.011 of the Village Code will provide for the regulation of the use of solar panels within the Village; and

**WHEREAS**, the Village finds that it is in the best interest of its citizens to enact the above described ordinance and regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PECATONICA, WINNEBAGO COUNTY, ILLINOIS, AS FOLLOWS:**

**Section 1.** The foregoing recitals are incorporated herein a made a part hereof.

**Section 2.** That Chapter 153, §153.011, Signs, Solar Panels, of the Village Code is hereby created to read **in its entirety** as follows (**additions** shown as **bolded** and **underlined** and deletions as ~~strikethroughs~~):

**§153.011 Solar Panels.**

**(A) General Provisions and Permitting.**

**No person shall construct a Solar Energy System (SES), as defined in this chapter, without first obtaining a building permit from the Village Clerk’s office. The general design and permitting standards applicable to all construction, maintenance and repair work in the Village of Pecatonica shall apply to the installation of the SES including, but not limited to, the current Mechanical and Electrical Codes. SES may be a special use in all zoning districts, and all applicants for a special use permit for an SES shall comply with the application process set forth in the Village Code of Ordinances.**

**(B) Plan Review.**

**The Village Building Enforcement Officer or Building Inspector shall review the submitted plan before any work on an SES begins. The submitted plan for the SES shall contain:**

- (1) Plan layout/diagram of proposed installation, generally to scale, of the entire lot, including any buildings, accessory structures, applicable setbacks, adjacent roadways, showing the location of all proposed solar panels;**
- (2) Name, address, and phone number of the property owner(s);**
- (3) Name, address, and phone number of applicant, if different from the property owner;**
- (4) Decommissioning plan as described in Section E below;**
- (5) Location of the electrical disconnect for the SES;**
- (6) Name, address, and phone number of the SES installer;**
- (7) Maximum height of solar panels at maximum inclination as mounted;**
- (8) Type of ground cover to be utilized for any ground mounted SES.**

**(C) Ground Mounted SES.**

- (1) Height Restrictions. No portion of a ground mounted SES shall be higher than five (5) feet when measured from the ground to the highest point of the panel at the highest angle of inclination. The maximum height of a ground mounted SES shall not exceed the height that is one foot less than the height of the fence installed in accordance with Section C.3 below.**
- (2) Setbacks. No ground mounted SES shall be mounted within any required front, corner or side yard. Ground mounted SES shall be mounted in rear yards only. Ground mounted SES shall not exceed 30% of the required rear yard. All parts of any ground mounted SES shall be set back at least five (5) feet from the interior side and rear property lines.**
- (3) Fencing. Any yard containing a ground mounted SES shall provide a privacy fence along adjacent properties. Fencing must conform to Section 153.007(D) of the Village of Pecatonica Code of Ordinances.**

**(D) Effect on Adjacent Property.**

**No SES, ground or roof mounted, shall have any negative effect on adjacent property that may be created in the form of increased drainage runoff, shade or reflected sunlight from the solar panels.**

**(E) Decommissioning Plan.**

**A Decommissioning Plan shall accompany all permit requests and detail plans to remove all equipment associated with the SES within twelve (12) months of cessation of use. Any SES which has not been utilized for more that twelve (12) months shall be removed along with any mounting hardware, foundations and exposed wiring at the expense of the landowner on which the SES is located. Should the property owner fail to remove the SES equipment in accordance with this Section, the Village may take legal action in a court of competent jurisdiction to force the removal and may seek to cover the cost of removal including attorneys' fees incurred.**

**(F) Height and Angle Restrictions**

- (1) Building mounted SES may be located on any roof face of principal or accessory structures and shall be flush mounted if possible.**
- (2) Total square footage of the SES panels shall not exceed the total area of the roof surface of the structure to which the system is attached.**
- (3) Measuring height is measured from the roof surface on which the SES is mounted to the highest edge of the system.**
- (4) The highest edge of a solar panel mounted on a pitched roof shall not exceed the height of the ridge of the roof section upon which the solar pane is installed.**
- (5) For pitched roof installations, all panels shall be installed at an angle which does not differ from the angle of the roof pitch by more than five (5) degrees when measured against the horizon.**
- (6) Flat roof mounted SES shall not exceed fifteen (15) feet above the existing roof line. The height of the solar panel array shall not be included in the height of the building for the purposes of computing the height of a flat roof building. Further, shall meet the fire code setback form top and edge of roof line by three (3) foot minimum. (site plan).**
- (7) A document under seal from a structural engineer licensed by the State of Illinois stating that the roof is adequate to support the additional load of the solar panels shall accompany the application.**

**(G) Interconnection with Public Utilities.**

**Energy produced by an SES shall be utilized on site, except for net metering as authorized by the Village of Pecatonica and other applicable regulatory agencies as required by law.**

**Section 3.** To the extent this Ordinance contradicts any previous orders, resolutions, ordinances or parts of orders, resolutions and ordinances of the Village, this Ordinance shall control and all other orders, resolutions, ordinances or parts of orders, resolutions, and ordinances in conflict herewith are hereby repealed insofar as such conflicts exist.

**Section 4.** All other orders, resolutions ordinances or parts of orders, resolutions, and ordinances of the Village of Pecatonica, Illinois not in conflict with this Ordinance shall remain in full force and effect.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**PASSED** by the President and Board of Trustees of the Village of Pecatonica this 17<sup>th</sup> day of December, 2024

**APPROVED** by the President of the Village of Pecatonica, Illinois, this 17<sup>th</sup> day of December, 2024

BY: \_\_\_\_\_  
THOMAS HEISTER, Village President  
Village of Pecatonica, Illinois

**ATTEST:**

BY: \_\_\_\_\_  
DARLA STRAM, Village Clerk  
Village of Pecatonica, Illinois

AYES: 6

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NAYS: 0

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ABSENT/  
ABSTAIN: \_\_\_\_\_ 0 \_\_\_\_\_

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