

**CHAPTER 14**  
**SOLAR ENERGY SITING**

SECTION 14.01 PURPOSE..... 14-1

SECTION 14.02 PERMIT REQUIRED. .... 14-1

SECTION 14.03 APPLICATION..... 14-1

SECTION 14.04 REVIEW..... 14-2

SECTION 14.05 FEES..... 14-2

**SECTION 14.01      PURPOSE.**

The Town Board finds that solar energy is an abundant, renewable and non-polluting energy resource and that its conversion to electricity or heat will reduce dependence on non-renewable energy resources and decrease air and water pollution that results from the use of the currently prevalent non-renewable energy resources. The Town Board encourages the use of solar energy. It is important, however, that installation of solar energy facilities is accomplished in a safe, clean and orderly manner and with sensitivity to the rural, scenic character of the Town of Dekorra. Pursuant to the authority granted by Wis. Stats. § 66.0401, this ordinance is enacted to provide for Town review of proposed solar energy facilities and to ensure such facilities are properly installed and are sited in a manner that will protect the natural beauty of the Town without significantly increasing the cost or efficiency of the proposed system or which permits an alternate system of comparable cost or efficiency.

**SECTION 14.02      PERMIT REQUIRED.**

No person shall install or erect any solar energy facility with total solar panel surface area, including framing, of three hundred (300) square feet or greater on parcels two (2) acres or larger, or one hundred (100) square feet or greater on parcels smaller than two (2) acres, without obtaining a permit under this Chapter. The requirement for a permit may not be avoided by successive installations each of which are smaller than the thresholds established herein. No permit shall be required where solar panels and any accompanying equipment are mounted upon a principle structure or accessory structure where the accessory structure is erected primarily for purposes other than for the mounting of solar energy equipment.

**SECTION 14.03      APPLICATION.**

An application for a permit under this Chapter shall be submitted to the Town Clerk and shall contain the following information:

- (a) The name, address, and telephone number of the owner of the property upon which the facility is to be installed. If the applicant is different than the property owner, such information shall be provided for the applicant as well.
- (b) A description of the solar energy facility including size, method of installation, amount of power to be generated and whether the facility is for private residential or business use or for commercial energy production. The description shall also include all technical specifications necessary to demonstrate the structural integrity of the installation including, but not limited to the ability to withstand wind.
- (c) Scale elevation drawings showing the location of the facilities on the property including property lines.
- (d) A description and drawing of any screening or landscaping proposed.

- (e) A detailed description of the factors considered in siting the facility as proposed including, where other sites are available that are less visible from public rights of way or other public property, why the less visible site is not proposed.

**SECTION 14.04**      **REVIEW.**

- (a) The Plan Commission shall review all applications under this Chapter within forty-five (45) days of submittal and make its recommendation to the Town Board. If the Plan Commission determines more information is necessary to evaluate the application, it may postpone its recommendation for an additional thirty (30) days, but no further postponements shall occur without the consent of the applicant. The Plan Commission may recommend approval, approval effective upon the satisfaction of conditions, or denial. Conditions may include, but are not limited to, the inclusion of aesthetic screening, berming or landscaping. The Plan Commission's recommendation shall be made to further the purpose of this chapter. The Plan Commission may not recommend any condition or deny a permit unless it finds such recommendation satisfies one of the following conditions:
  - (1) Is necessary to preserve or protect the public health or safety.
  - (2) Does not significantly increase the cost of the system or significantly decrease its efficiency.
  - (3) Allows for an alternative system of comparable cost and efficiency.
- (b) The Town Board shall review the application and Plan Commission's recommendation at its next regular meeting after receipt of the Plan Commission's recommendation. The Town Board may accept, reject or modify the Plan Commission's recommendation under the same criteria as applied for the Plan Commission's review.

**SECTION 14.05**      **FEES.**

- (a) An application under this chapter shall be accompanied by a fee of \$100. No action may be taken on the application until such fee is paid.
- (b) If the application is for a solar energy facility with a primary purpose of commercial electricity generation, the application shall be accompanied by an agreement signed by the applicant, and the property owner if different from the applicant, to reimburse the Town of Dekorra for all actual costs incurred reviewing the application, including but not limited to consultants fees for attorneys, engineers, planners or other relevant specialists. Final approval may not be effective until all such costs are reimbursed according to the agreement. If such costs are not paid within sixty (60) days of final invoice, such costs may be placed on the tax roll for the subject property as a special charge pursuant to Wis. Stats. § 66.0627. Placement on the tax roll, however, shall not constitute payment for purposes of permit issuance.

