

CERTIFICATE

To All To Whom These Presents Shall Come, Greeting:

I, Kristin Tonozzi, Village of Mark Clerk
(Name of Certifying Official) (Title of Certifying Official)

do hereby certify that the attached is a true and correct copy of Ordinance/Resolution

number 2024-04-02-01 adopted by Village of Mark on
(Name of Public Body)

April 2, 2024.
(Date of Adoption)

Kristin Tonozzi
(Signature of Official)
(Original Signature Required)

VILLAGE OF MARK
ORDINANCE NO. 2024-04-02-01

(If applicable) An ordinance amending ordinance #
regarding Establishing Rules + Regulations Regarding Utility Solar Systems

Adopted by the Village Board of the Village of Mark
This 2nd Day of April, 2024

Published in Pamphlet form by authority of the Village Board of the Village of Mark, Putnam County, Illinois, this 2nd day of April, 2024.

STATE OF ILLINOIS)
) SS.
COUNTY OF PUTNAM)

I, Kristin Tonozzi, certify that I am duly appointed and acting municipal clerk of the Village of Mark, Putnam County, Illinois.

I further certify that on the 2nd day of April, 2024, the corporate authorities of the above municipality passed and approved ordinance No. 2024-04-02-01

Entitled an ORDINANCE

Establishing Rules + Regulations Regarding Utility Solar Systems, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2024-04-02-01, including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building, commencing on the 2nd day of April, 2024 and continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Mark, Illinois, this 2nd day of April, 2024.

Kristin Tonozzi
Municipal Clerk

(SEAL)

VILLAGE OF MARK, ILLINOIS
ORDINANCE NO. 2024-04-02-01

**AN ORDINANCE ESTABLISHING RULES AND
REGULATIONS REGARDING UTILITY SOLAR ENERGY
SYSTEMS**

WHEREAS, the Village of Mark wishes to enact an ordinance regarding Utility Solar Energy System (USES)-as a newly established Village Ordinances Chapter 14 Article 6, which shall be titled “Utility Solar Energy Systems”

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF MARK,
ILLINOIS, PUTNAM COUNTY, ILLINOIS, A MUNICIPAL CORPORATION, AS
FOLLOWS:**

Utility Solar Energy Systems (USES):

- A. Purpose and intent:** The purpose of these regulations is to provide a uniform and comprehensive set of standards for the installation and use of USES designed for commercial energy production. The intent of these regulations is to protect the public health, safety, and community welfare while allowing development of solar energy resources for commercial purposes.

Petition: All procedures and standards included in and related to special uses shall apply unless otherwise stated in this article. In addition, before the petition for a special use permit can be issued, the following shall be submitted to the Village of Mark Zoning Officer for review by the Planning Commission, the Zoning Board of Appeals and the Village of Mark Board:

- a.** A written summary of the project, including a general description of the project including its approximate generating capacity.
- b.** The name(s), address(s) and phone number(s) of the owner and/or USES operator
- c.** A site plan of the USES site showing:

- i. **Boundaries of the site;**
- ii. **All proposed USES structures: solar panels, substations, interconnect substation, location of all transmission lines, ancillary equipment, wells, septic fields, field tile location map, existing easements, floodplain location and elevation and wetland(s) location, if any;**
- iii. **Property lines;**
- iv. **Setback lines;**
- v. **Location of all existing structures with their uses identified.**
- vi. **The site and emergency plan shall be submitted to the local fire protection district(s) and/or department(s) whose jurisdiction is included in whole or in part within the USES project area. Any specialized training shall be provided at the owner/operator's expense.**
- vii. **All required studies, reports, certifications and approvals demonstrating compliance with the provisions of this section.**
- viii. **After an approved final inspection of all building permit(s), a certificate of occupancy shall be issued.**

B. Special Requirements. USES are subject to the following requirements:

- a. **Public Road Rights-of-way: USES are to be located 50 feet from the nearest edge of a public roadway.**
- b. **Boundary Lines of Nonparticipating Property: USES are to be located no closer than 50 feet to the nearest point on the property line of the nonparticipating property.**

- c. **Fencing:** A commercial solar energy facility's perimeter is to be enclosed by fencing having a height of at least six (6) feet and no more than twenty-five (25) feet.
 - d. **Height:** A commercial solar energy facility is to be sited so that no component of a solar panel has a height of more than twenty (20) feet above ground when the solar panels are at full tilt.
 - e. **Sound:** A commercial solar energy facility must comply with the sound limitations as established by the Illinois Pollution Control Board under Illinois Administrative Code Parts 900, 901, and 910.
 - f. **Application:** The USES applicant shall pay the Village of Mark an application fee of \$500.00. The USES applicant shall also pay for any and all expenses and professional fees associated with said application and application process, such as attorney fees, engineering, postings, etc.
- C. **The commercial solar facility owner shall file a farmland drainage plan with the County and impacted drainage districts outlining how surface and subsurface drainage of farmland will be restored during and following the construction or deconstruction of the commercial solar facility.**
 - a. **The farmland drainage plan is to be created by the facility developer, and shall include the location of any potentially impacted drainage district facilities to the extent that this information is publicly available from the county or the drainage district.**
 - b. **All surface and subsurface damage shall be repaired at the cost of the commercial solar facility owner, and shall be repaired as soon as reasonably practicable.**
- D. **The commercial solar facility owner must provide the Village of Mark the following:**
 - a. **The results and recommendations from consultation with the Illinois Department of Natural Resources that are obtained through the Ecological Compliance Assessment Tool (EcoCAT) or a comparable successor tool; and**

- b. The results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with the United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review.

E. Penalties: A failure to obtain applicable building permit(s) for the construction of a USES or failure to comply with the requirements of a building permit or the provisions of this section shall be deemed a violation of this section. The Village's Attorney may bring an action to enforce compliance of the requirements of this section by filing an action in the circuit court for an injunction requiring conformance with this section or seek such other order as the court deems necessary to secure compliance with this section. Any person who violates this section shall be fined not less than \$25 nor more than \$500. A separate offense shall be deemed committed for each day the violation exists. Nothing herein shall prevent the Village from seeking such other legal remedies available to prevent or remedy any violations of this section.

This ordinance will be effective immediately.

PRESENTED, PASSED, AND ADOPTED at a regular meeting of the Village Board of

Trustees of the Village of Mark, Illinois, by an aye and nay roll call vote, with 6 voting aye,

0 voting nay, and 0 absent, and Village President Frank Niewinski voting not,

which meeting was held on the 2nd day of April, 2024.

APPROVED: 4/2/24
(date)

Frank Niewinski
Frank Niewinski, Village President

(CORPORATE SEAL)

ATTEST:

Kristen Tonozzi
Kristen Tonozzi,
Village Clerk

Board Member (name) roll and vote:	Aye	Nay	Absent
<u>Gerald Urnikis</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Richard Serafini</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Steven Faletti</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Edward Daniels</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Raymond Veranda</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Leonard Bertuli</u>	<u>X</u>	<u> </u>	<u> </u>
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