

ORDINANCE NO. 2026-01

AN ORDINANCE AMENDING CHAPTER 12 OF THE TOWNSHIP OF GREGG CODE OF ORDINANCES, GREGG TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGULATION OF LARGE-SCALE SOLAR ELECTRIC ENERGY FACILITIES.

The Board of Supervisors of Gregg Township, Centre County, Pennsylvania (the "Township"), hereby enacts, adopts, and ordains the following:

Section 1: Purpose. The purpose of this Ordinance is to amend Chapter 12 of the Gregg Code of Ordinances, relating to subdivision and land development, and, more specifically, to regulate the construction, development, and uses of large-scale electric energy facilities in the Township.

Section 2: Amendment. Chapter 12 of the Gregg Code of Ordinances is hereby amended to add Part 3, "Large Scale Solar Electric Energy Facilities," stating as follows:

301. Definitions.

1. "Applicant" is the Landowner or Developer, as those terms are defined in the Municipalities Planning Code and including their heirs, successors, and assigns, who has filed an application for development of a Solar Electric Energy Facility under this Ordinance.
2. "Facility Owner" means the person or entity having an equity interest in the Solar Electric Energy Facility, including their heirs, successors, and assigns.
3. "Operator" means the entity responsible for the day-to-day operation and maintenance of the Solar Electric Energy Facility.
4. "Solar Electric System" means the components and subsystems that, in combination, convert solar energy into electric energy suitable for use. The term includes but is not limited to photovoltaic and concentrated solar power systems.
5. "Solar Electric Energy Facility" means a Large-Scale Solar Electric Generating Facility, whose main purpose is to generate and supply electricity and consists of one or more Solar Electric Systems and other accessory structures

and buildings, including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. These facilities shall not include Solar Electric Energy Systems meant for residential or commercial use.

302. Applicability.

1. This Ordinance applies to any Solar Electric Energy Facility of two acres or more proposed to be constructed after the effective date of this Ordinance.
2. A Solar Electric Energy Facility constructed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance; provided that any physical modification or alteration to an existing Solar Electric Energy Facility that materially alters the size, type, or components of the Solar Electric System shall require a permit under this Ordinance. Routine operation and maintenance or like-kind replacements do not require a permit.

303. Land Development Requirements. No land development plan providing for the construction or installation of a Solar Electric Energy Facility or addition of a Solar Electric System to an existing Solar Electric Energy Facility shall be approved unless such plan has complied with the requirements of this Chapter.

304. Additional Land Development Plan Requirements.

1. Applications files pursuant to this Ordinance shall comply with the Subdivision and Land Development Ordinance of Gregg Township and shall contain the following:
 - A. A narrative describing the proposed Solar Electric Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the Solar Electric Energy Facility; the approximate number, representative types, and height or range of heights of the panels or other Solar Electric System equipment to be constructed, including their generating capacity, dimensions, and respective manufactures; and a description of all ancillary facilities.
 - B. An affidavit or similar evidence of agreement between the Landowner of the real property on which the Solar Electric Energy Facility is to be located and the Facility Owner, demonstrating that the Facility Owner has permission of the Landowner to apply for necessary permits or approvals for construction and operation of the Solar Electric Facility ("Participating Landowner Agreement").

- C. Identification of the properties or portions thereof on which the proposed Solar Electric Energy Facility will be located, and the properties adjacent to where the Solar Electric Energy Facility will be located.
 - D. A site plan showing the planned location of each Solar Electric Facility's property lines, setback lines, access roads, and turnout locations, substation(s), electrical cabling from the Solar Electric System to the Substations(s), ancillary equipment, buildings, and structures, including associated distribution and/or transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
 - E. A Decommissioning Plan, which shall include, but not be limited to, the following: (i) a time schedule and methods for the removal of the entire solar panel array and all associated facilities and equipment connected thereto from the premises; (ii) cleaning and restoration of the property to its pre-installed condition, including grading and vegetative restabilization to eliminate any negative impacts to surrounding properties; and (iii) posting of a performance bond prior to the start of the decommissioning work, in an amount to be determined by the Township, to insure the completion of this work in accordance with this and other relevant ordinances and codes.
 - F. Other relevant studies, reports, certifications, and approvals as may be provided by the Applicant or required by the Township to ensure compliance with this Ordinance.
2. Within thirty (30) business days after receipt of a land development application, the Township will determine whether the application is complete and advise the applicant accordingly.

305. Design and Construction:

- 1. Design Safety Certification: The design of the Solar Electric Energy System shall conform to applicable industry standards, including those of the American National Standards Institute. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories (UL), IEEE, Solar Rating and Certification Corporation (SRCC), ETL, or other similar certifying organizations.
- 2. Uniform Construction Code: The Solar Electric Energy Facility and the Solar Electric System shall be constructed to and comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended, and any 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 Department of Labor and Industry under its regulatory authority.

3. Visual Appearance: Power Lines

- A. Solar Electric Energy Facilities shall not be artificially lighted, except to the extent required by safety or by any applicable federal, state, or local authority.
- B. Solar Electric Energy Facilities shall not display advertising, except for reasonable identification of the panel, inverter, or other equipment manufacturer, and the Facility Owner.
- C. On-site transmission and power lines shall, to the maximum extent practicable, be placed underground.

4. Warnings:

- A. A Solar Electric Energy Facility shall be enclosed by a fence, barrier, or other appropriate means to prevent or restrict unauthorized persons or vehicles from entering the property.
- B. Clearly visible warning signs shall be placed on the fence, barrier, or Solar Electric Energy Facility perimeter to inform individuals of potential voltage hazards.

306. Setbacks:

- 1. Property lines: All Solar Electric Energy Systems shall be set back from the nearest property line a distance of not less than the maximum set back requirements for that zoning classification where the System is located. The setback distance shall be measured from the closest edge of the Solar Electric Energy System to the property line.
- 2. A Solar Electric Energy Facility shall be sited in such a way that it presents no threat to traffic or to public health and safety.

307. Decommissioning.

- 1. The Facility Owner and Operator shall, at their expense, complete decommissioning of the Solar Electric Energy Facility or individual Solar Electric Systems within twelve (12) months after the end of the useful life of

such Facility or System. A Solar Electric Energy Facility or System will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of six (6) months.

2. Decommissioning shall include removal of all Solar Electric Energy Systems, buildings, cabling, electrical components, roads, foundations, and any other associated facilities.
3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads, or other land surface areas not be restored.

308. Remedies

1. It shall be unlawful for any person, firm or corporation to violate or fail to comply with or take any action that is contrary to the terms of this Ordinance or a permit issued under this Ordinance or cause another to violate or fail to comply, or take any action which is contrary to the terms of this Ordinance or a permit issued under this Ordinance.
2. If, after thirty (30) days from the date of the notice of violation, the Township determines, in its discretion, that the parties have not resolved the alleged violation, the Township may institute civil enforcement proceedings or any other remedy at law or in equity to ensure compliance as provided in this Ordinance or the Township's Subdivision and Land Development Ordinance.

Section 3: Severability. Each section, paragraph, part, term and/or provision of this Ordinance shall be considered severable, and if, for any reason, any paragraph, part, term and/or provision herein is determined to be invalid and contrary to or in conflict with any existing or future law or regulation, such shall not impair the operation or affect the remaining portions, sections, paragraphs, parts, terms and/or provisions of this Ordinance, and the latter will continue to be given full force and effect, and said invalid sections, parts, paragraphs, terms and/or provisions shall be deemed not to be a part of this Ordinance.

Section 4: Effective Date. This Ordinance shall become effective upon the date of

passage and approval.

ENACTED AND ORDAINED this 14th day of May, 2026, by the Board of
Supervisors of Gregg Township, Centre County, Pennsylvania.

Attest:

Vicky Kanada

GREGG TOWNSHIP SUPERVISORS:

Bernie [Signature]
James [Signature]
Vicky Kanada