

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5252

**AN ORDINANCE AMENDING SECTIONS 1186.03(C)(1), 1186.04(C) AND
1186.09(C) OF THE ADMINISTRATIVE CODE TO UPDATE CHAPTER
1186: SMALL WIND ENERGY SYSTEMS AND SOLAR ENERGY
SYSTEMS; AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. That Section 1186.03(c)(1) be amended to read as follows:

“1186.03 LOCATION AND USE REGULATIONS

(a) * * * * (no change)

(b) * * * * (no change)

(c) A solar energy system is permitted within the city subject to the following:

(1) Solar panels shall be permitted as a rooftop installation in any residential zoning district. The roof mounted solar energy equipment shall not exceed the maximum building height for the residential zoning district where it is located, and shall be installed in compliance with the applicable Building Code and manufacture installation specifications. Solar panels installed in a roof□top configuration are limited to the portion of the roof which faces the rear yard ~~and shall not exceed twenty-five percent (25%) of that portion of the roof area.~~ **or in an alternate location which has been approved in accordance with the provisions of 1186.06.** In addition, the roof mounted solar energy equipment must be installed within the actual boundaries or edges of the roof area, and cannot overhang any portion of the edge of the roof, **shall follow the existing roof pitch and shall not extend more than 12” above the surface of the roof.**

(2) thru (7) * * * * (no change)”

SECTION 2. That Section 1186.04(c) be amended to read as follows:

“1186.04 GENERAL REQUIREMENTS

(a) * * * * (no change)

(b) * * * * (no change)

(c) Any person desiring to install a solar energy system shall apply for a permit from the Building Department and the application shall include the following:

(1) thru (9) * * * * (no change)

(10) **A scaled 3□D rendering from all directions as seen from the public right of way and adjacent properties and structures.**

(11) **Other relevant studies, reports, certifications and approval as may be reasonably requested by the Building Commissioner**

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to ensure compliance with this chapter and any other applicable law, rule or regulation; and

(11) (12) The fees as established pursuant to § 1186.06.”

SECTION 3. That Section 1186.09(c) be amended to read as follows:

“1186.09 DISMANTLING AND REMOVAL OF SOLAR ENERGY AND SMALL WIND ENERGY SYSTEMS

(a) * * * * (no change)

(b) * * * * (no change)

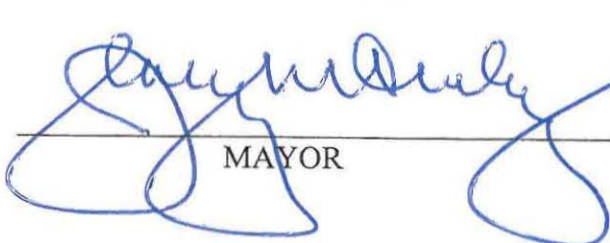
(c) The owner and any subsequent purchaser or transferee of a small wind energy system ~~or solar energy system~~ shall be required to post and maintain a surety bond, or other form of guarantee as approved by the Director of Law, in an amount as reasonably determined by the Building Commissioner which is equal to the cost of removing a small wind energy system ~~or solar energy system~~ in the event the owner or occupier of the property fails to so do as required in this chapter.”

SECTION 4. That Sections 1186.03(c)(1), 1186.04(c) and 1186.09(c) as they existed prior to the effective date of this Ordinance be, and the same hereby are, repealed.

SECTION 5. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to update the Chapter, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: June 4, 2019

APPROVED: June 4, 2019


MAYOR


CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5252 duly passed by the Council of the City of Brecksville, Ohio, on 6-4, 20 19 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 6-7, 20 19.


CLERK OF COUNCIL