**ORDINANCE NO. \_\_\_\_\_\_**

**AN ORDINANCE ADDRESSING NEW INSTALLATIONS of ALTERNATIVE ENERGY SOURCES**

**WHEREAS,** The City Council of the City of Garfield has determined that there is a need for regulation of Alternative Energy Sources (Solar and Wind); and

**WHEREAS,** The City of Garfield has been granted the authority to regulate new installations of alternative energy sources within its municipal limits pursuant to Arkansas Code Annotated \_\_\_\_\_\_\_\_\_ et seq; and

**NOW, THEREFORE,** be it ordained by the City Council of The City of Garfield, Arkansas, that the following language shall hereby establish this new Ordinance, and shall provide by this Ordinance a uniform set of rules and regulations that are fair and equitable, to promote installations which will enrich both the homeowners and fully protect the city’s aesthetics; and declaring an emergency to exist:

**SECTION 1:** DEFINITIONS

*SOLAR:*

*WIND:*

*REGULATORY AUTHORITY:* The Mayor or his representative, and any state or federal enforcement body or authorized representative having jurisdiction.

**SECTION 2:** RULES AND REGULATIONS;

1. SOLAR
2. All solar panels will be on the roof of an existing structure on the property
3. Only one solar installation per parcel
4. All installations will be performed by a licensed contractor, and must meet all requirements of the appropriate agency that regulates solar panel installations

Note: Requests for NON-roof-mounted solar installations may be submitted for review.

1. WIND
2. All wind-powered generator installations will not exceed the height of the roof-line of the accompanying structure on the property
3. Only one wind-powered generating installation per parcel
4. All installations will be performed by a licensed contractor, and must meet all requirements of the appropriate agency that regulates wind-powered installations

Note: Requests for NON-height-limited wind-powered generator installations may be submitted for review.

**SECTION 3:** PENALTIES

**SECTION 4:** EMERGENCY CLAUSE

The City of Council of Garfield having received inquiries from the citizens of Garfield concerning the location and types of alternative energy sources that interfere with the safety and health of the citizens declares that an emergency exists, and that this Ordinance shall be in full force and effect from the date of its passage.

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_, 2022**

APPROVED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gary Blackburn, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Christal Allen, Recorder-Treasurer

*[ Please NOTE: Only the yellow highlighted items are what the Planning Commission has* ***considered****. The remaining verbiage was the Planning Commission Chair’s attempt at drafting an Ordinance, copied from other Ordinances, prior to being told that the City Attorney and the Recorder/Treasurer would handle getting it in the proper format. ]*