

OHIO COUNTY, KENTUCKY
ORDINANCE NO. _____

SUMMARY

The above-numbered ordinance was approved with a first reading by the Fiscal Court of Ohio County, Kentucky on the date below. The ordinance relates to the regulation of Solar Energy Systems (SES), which are defined in the ordinance as consisting of three categories: (1) Integrated Solar Energy Systems, (2) Rooftop Solar Energy Systems, and (3) Ground Mounted Solar Energy Systems. The third category, Ground Mounted Solar Energy Systems, is the primary topic of the ordinance and is further divided into three sub-categories: (1) Small-Scale Ground Mounted Energy Systems (Small-Scale SES), (2) Intermediate-Scale Ground Mounted Energy Systems (Intermediate-Scale SES), and (3) Large-Scale Ground Mounted Energy Systems (Large-Scale SES). Small-Scale SES are ground-mounted SES with a footprint of less than 2,500 square feet. Intermediate-Scale SES are ground mounted SES with a footprint between 2,501 square feet and forty acres. Large-Scale SES are ground-mounted SES with a footprint of more than forty acres. The ordinance sets forth various regulations that apply to Intermediate-Scale SES and Large-Scale SES.

These regulations include requiring any landowner in Ohio County to obtain a license from the Ohio County Fiscal Court to construct Intermediate-Scale SES and Large-Scale SES. The application for this license requires paying a \$250.00 fee, submitting 10 copies of a site plan, providing the names and addresses of property owners within 2,500 feet to the boundaries of the proposed site, the proposed locations of the required buffers and fencing, identification of the property where the proposed site will be located, the name and contact information of the applicant, and various other documents and information. A decommissioning plan and surety are also required. The Ohio County Fiscal Court has 60 days to review an application and provide a recommendation to the Judge/Executive, who then has 30 days to approve the application, decline the application, or send the application back to the Fiscal Court magistrates for further review.

Intermediate-Scale SES and Large-Scale SES footprints must be at least 2,000 feet away from any nearby property owner's boundary, have a fence around it at least 8 feet tall, and a vegetative landscape buffer between the fencing and property line. The vegetative landscape buffer has to be made of two staggered rows of evergreen trees at least 5 feet high when planted and be maintained in accordance with specifications throughout the life of the SES. A decommissioning plan is also required with adequate surety that must be reviewed every 5 years for sufficiency. Violation of the ordinance is a misdemeanor criminal violation punishable by a fine of \$100.00 to \$500.00 per each day of the violation.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE FOR INSPECTION IN THE OFFICE OF THE OHIO COUNTY CLERK.

THE FIRST READING OF THE ORDINANCE SUMMARIZED HEREIN OCCURRED ON:
_____, 2024.

THE SECOND READING OF THE ORDINANCE SUMMARIZED HEREIN WILL OCCUR ON: _____, 2024.

I, David Johnston, Ohio County Judge/Executive, on behalf of the Ohio Fiscal Court, hereby certify that the Ohio Fiscal Court reviewed and considered this Summary on the date signed below and certified this Summary as accurate by a motion made and approved by members of the Ohio Fiscal Court as reflected in the record of these proceedings lodged in the Office of the Ohio County Clerk.

David Johnston
Ohio County Judge/Executive

Date