

Explanation: This Ordinance adds the definition and regulations for solar energy systems.

**TOWNSHIP OF WARREN  
ORDINANCE NO. 11-13**

**AN ORDINANCE AMENDING CHAPTER XVI ENTITLED "ZONING" SECTION 16-4 ENTITLED "DEFINITIONS" AND SECTION 16-5 ENTITLED "GENERAL REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN TO ADD DEFINITIONS AND REGULATIONS FOR SOLAR ENERGY SYSTEMS WITHIN THE TOWNSHIP OF WARREN**

**BE IT ORDAINED** by the Mayor and Township Committee of the Township of Warren as follows:

**SECTION I.** Section 16-4 entitled "Definitions", of Zoning of *The Revised General Ordinance of the Township of Warren*, is amended by adding the definitions as follows:

**Solar Array** - A ground mounted solar connection system consisting of a linked series of photovoltaic modules.

**Solar Collection System** - A panel or other solar energy device, the primary purpose of which is to provide for the collection, inversion, storage and distribution of solar energy for electricity generation, space heating, space cooling or water heating.

**SECTION II.** Section 16-5 entitled, "General Regulations" is hereby amended by adding new subsection 16-5.36 entitled, "Solar Collection Systems". The entry shall read as follows:

**16-5.36 Solar Collection Systems**

**Solar Collection Systems, as defined in 16-4 shall be considered an accessory use in all zoning districts. The purpose of this section is to establish regulations to facilitate the installation and construction of Solar Arrays.**

**1. The following standards shall apply to the development of Solar Collection Systems:**

- a. Collection systems, including Solar Arrays shall be classified as accessory structures and shall not be located in the front yard between the principal structure and the public right-of-way.**

- b. Setbacks: As specified for principle structure in Schedule 16-8 for zone in which located.
- c. Height: Freestanding collection systems on residential properties shall not exceed 5 feet in height.
- d. Size: Freestanding collection systems on residential properties shall not exceed the greater of one-half (1/2) the footprint of the principal structure or one thousand (1,000) square feet, whichever is the lesser. The size of arrays for non-residential properties shall not exceed one-half (1/2) of the footprint of the principle structure.
- e. Solar Collection Systems are permitted to be located on the roof or exterior wall of a structure subject to the following:
  - 1. Collection systems shall not extend above the roof line;
  - 2. Collection systems located on the roof or attached to a structure shall provide, as part of their permit application a structural certification.
- f. Code Compliance: Solar Collection Systems shall comply with all applicable building and electrical codes.
- g. Solar Collection Systems may be located on accessory structures.

**SECTION III.** Conflicts: All other ordinances, parts of ordinances, or other local requirements that are inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict and the provisions of this ordinance apply.

**SECTION IV.** Severability: Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.

**SECTION V.** Interpretation: This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

**SECTION VI.** The Township Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this Ordinance to the Somerset County Planning Board


and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

**SECTION VII.** After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Warren for its review in accordance with N.J.S.A. 40:55D-26, and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within 35 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**SECTION VIII.** This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with Somerset County Planning Board pursuant to N.J.S.A. 40:55D-16.

\_\_\_\_\_  
Note to Codifier: Deleted provisions indicated by brackets [ ].  
New provision indicated in underline \_\_\_\_\_.

**ATTEST:**

  
Patricia A. DiRocco, RMC

Township Clerk

**TOWNSHIP OF WARREN**

By: 

Gary P. DiNardo, Mayor

INTRODUCED July 21, 2011

ADOPTED September 8, 2011

EFFECTIVE September 15, 2011