

**ORDINANCE NO. 10-25-1-A**

**CLARKSVILLE BOROUGH  
GREENE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF CLARKSVILLE BOROUGH, GREENE COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE JEFFERSON MORGAN MULTI-MUNICIPAL ZONING ORDINANCE, TO PROVIDE DEFINITIONS RELATED TO SOLAR ENERGY SYSTEMS, ADD REGULATIONS AS TO ACCESSORY SOLAR ENERGY SYSTEMS, GROUND MOUNTED ACCESSORY SOLAR SYSTEMS, AND PRINCIPAL SOLAR ENERGY SYSTEMS AND RELATED REGULATIONS THEREOF, AND IN ADDITION TO PROVIDE A DEFINITION FOR PET CREMATORY'S AND ALSO TO ADD PET CREMATORY'S AS A PERMITTED USE IN AGRICULTURAL ZONING DISTRICTS.**

**WHEREAS**, the Council of Clarksville Borough, Greene County, Pennsylvania, have previously enacted the Jefferson Morgan Multi-Municipal Zoning Ordinance in 2018; and

**WHEREAS**, the Pennsylvania Municipalities Planning Code Act of July 31, 1968, as amended, 53 P.S. §10101 et seq., enables a municipality through its Zoning Ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources; and

**WHEREAS**, Clarksville Borough seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Zoning Ordinance providing for access to and use of solar energy systems; and

**WHEREAS**, Clarksville Borough seeks to promote the general health, safety and welfare of the community by implementing pet crematory's as a permitted use in agricultural zoning districts.

**NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED** by the Council of  
Clarksville Borough, Greene County, Pennsylvania, as follows:

**SECTION 1. TITLE.**

This Ordinance shall be known as the “Clarksville Borough Solar Energy Systems Ordinance of 2025.”

**SECTION 2. DEFINITIONS**

**Amendment of Section 10.3 of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Definitions”.** Section 10.3 of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance is hereby amended to add or amend the following definitions to the ordinance.

**ACCESSORY SOLAR ENERGY SYSTEM (ASES):** A small-scale solar energy system used to capture solar energy, convert it to electrical energy (capable of producing 15 kw or less) or thermal power and supply electrical or thermal power, for use on private property where the system is located to reduce the consumption of utility power or fuels. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted, solar arrays or modules, energy storage devices, or solar devices, or solar related equipment and is intended to primarily reduce on-site consumption.

**APPLICANT:** The individual or entity seeking permission or authorization under the provisions of this ordinance to engage in an activity in whole or in part by this ordinance. The applicant may be a person, partnership, business or corporation.

**ENVIRONMENTAL STABLE:** The proper placing, grading construction, reinforcing, lining and covering of soil, rock or earth to ensure their resistance to erosion, sliding or other movement, as well as prevent alteration of any kind to existing watercourse wetland or natural impoundment.



GLARE: The effect produced by light with an intensity sufficient to cause annoyance, discomfort or loss in visual performance and visibility.

PET CREMATORY: A facility that uses heat to cremate pets, reducing their bodies to bone fragments and ash. The remains, called cremains or ashes, are then returned to the pet owner.

PRINCIPAL SOLAR ENERGY SYSTEM (PSES): A large-scale solar energy system used to capture solar energy, convert it to electric energy or thermal power and supply electrical or thermal power principally of the sale of commercial energy to electrical utilities. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted, solar collector devices, energy storage devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators and heat exchanges; substations; electrical infrastructure; transmission lines and other appurtenant structures. This applies both to publicly and privately owned properties.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR ENERGY SYSTEM: A solar photovoltaic cell, module or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation or transfer of stored heat.

SOLAR ARRAY: A grouping of multiple solar modules with the purpose of harvesting solar energy.

SOLAR CELL: The smallest basic solar electric device which generates electricity when exposed to light.

SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.

**SOLAR RELATED EQUIPMENT:** Items including a solar photovoltaic cell, module or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used or intended to be used for collection of solar energy.

**SOLAR PANEL:** The part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

**SECTION 3. Amendment of Table 3.1; Use Table of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Table of Authorized Uses (Table 3.1) of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance.** The Table of Authorized Uses, Table 3.1, I-I Industrial District and S-D Special Industrial District, of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance are hereby amended to add “Principal Solar Energy Systems” as Special Exceptions, to the aforementioned Zoning Districts.

**SECTION 4. Amendment of Table 3.1; Use Table of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Table of Authorized Uses (Table 3.1) of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance.** “Table 3.1” of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance is hereby amended to add “Accessory Solar Energy Systems” (See Table 3.1) as Permitted Accessory Uses, in all Zoning Districts.

**SECTION 5. Amendment of Chapter 5 of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Supplemental Regulations” to add a new Section 5.9 for regulation of Accessory Solar Energy Systems.** There is hereby added a new Section 5.9 with related subsections, to Chapter 5 of the 2018 Jefferson Morgan Multi-Municipal Zoning



Ordinance, entitled “Supplemental Regulations: to add regulations for the use of Accessory Solar Energy Systems (ASES) which shall read as follows:

## **5.9 Accessory Solar Energy Systems (ASES)**

### **5.9.1 Regulations Applicable to All Accessory Solar Energy Systems. (“ASES”)**

- A. Accessory Solar Energy Systems are a Permitted Use in all Zoning Districts.
- B. Exemptions. ASES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing ASES, whether or not existing prior to the effective date of this Section that materially alters the ASES, shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.
- C. The ASES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE) and recognized Solar Rate and Standard organizations and shall comply with the PA Uniform Construction Code, and with all applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

- D. All on-site utility, transmission lines, and plumbing shall be placed underground to the greatest extent possible.
- E. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
- F. All ASES shall be situated such that concentrated solar radiation or glare does not project onto nearby properties, structures or roadways.
- G. In addition to the requirements of Article XXII, Section 280-146 of the Jefferson Morgan Multi-Municipal Zoning Ordinance, zoning certificate applications shall document compliance with Section 280-146, and related subsections. Zoning certificates shall be revoked if the ASES, whether new or pre-existing, is moved or otherwise altered, whether intentionally or by natural forces, in a manner which caused the ASES not to be in conformity with the Ordinance. In the case of nonconformity caused by intentional or natural forces, the owner shall have a minimum of 90 days to initiate necessary remedial action to bring the system back in conformance to the Ordinance.
- H. The ASES must be properly maintained and kept free from all hazards, including but not limited to faulty wiring and/or batteries, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of violation, the Borough and/or the Zoning Officer shall give written notice



specifying the violations, pursuant to Chapter 9, of the Jefferson Morgan Multi-Municipal Zoning Ordinance.

#### **5.9.2 Ground Mounted Accessory Solar Energy Systems.**

##### **A. Setbacks.**

1. The minimum setbacks from side and rear property lines shall be equivalent to the accessory building setbacks in the applicable zoning district.
2. A ground mounted ASES shall not be located in front yards.

##### **B. Height.** Freestanding ground mounted ASES shall not exceed 15 feet in height above the ground elevation surrounding the system.

##### **C. Screening.** Ground mounted ASES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of a native plant or shrub species, 6' to 8' when mature. In lieu of plant or shrub screen, a decorative fence meeting the requirements of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance may be used.

##### **D. Coverage.**

1. The post-development area beneath the ground mounted ASES may be considered equivalent to the pre-development conditions if it can be shown that such conditions will not be changed or impacted by the proposed project. However, use of impervious construction materials under the system could

cause the area to be considered impervious and subject to the overall lot coverage requirement for the applicable zoning district.

a. A site assessment comparing pre-installation and post-installation land characteristics with post-installation conditions must be presented to the Borough to prove that the area beneath the ground-mounted ASES may be considered equivalent to pre-development conditions. Such an assessment must include detailed documentation which shall include but is not limited to photographs, soil analysis, vegetation surveys, and a written report detailing the findings.

2. Consideration of coverages resulting from the ASES shall be considered in accordance with the Borough's Stormwater Management Ordinance requirements, and nothing stated herein shall be considered as an exemption or variance from conformance with the Borough's Stormwater management Ordinance.

- E. Ground mounted ASES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede the pre-existing flow of storm water runoff within said stormwater conveyance system.



- F. If a ground-mounted ASES is removed, any earth disturbance as a result of the removal of the ground-mounted solar energy system shall be graded and returned to environmentally stable condition.
- G. Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment and structures. All electrical control devices shall be locked to prevent unauthorized access or entry.

### **5.9.3 Roof Mounted and Wall Mounted Accessory Solar Energy Systems.**

- A. A roof mounted or wall mounted ASES may be located on a principal or accessory building.
- B. ASES mounted on roofs or walls of any building shall be subject to the maximum height regulations specified for buildings within each of the applicable zoning districts.
- C. Wall mounted ASES shall comply with the building setbacks in the applicable zoning districts.
- D. Solar panels shall not extend beyond any portion of the roof edge.
- E. The owner shall provide evidence certified by an appropriately licensed professional that the roof is capable of holding the load of the ASES.

**SECTION 6. Amendment of Section 9.9 Special Exceptions of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Special Exceptions” to add three new subsections: Section 9.9 (C) Principal Solar Energy Systems (PSES) for regulation of Principal**

**Solar Energy Systems; Section 9.9 (D) Ground Mounted Principal Solar Energy Systems; and 9.9 (E) Roof Mounted Principal Solar Energy Systems as Special Exceptions.** There is hereby added three new subsections 9.9 (C); 9.9 (D); and 9.9 (E) with related subsections, to Section 9.9 of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance, entitled “Special Exceptions”: to add regulations for the use of Principal Solar Energy Systems (PSES) which shall read as follow:

**Section 9.9 (C) – Principal Solar Energy Systems (PSES). Regulations Applicable to All Principal Solar Energy Systems.**

- A. Principal Solar Energy Systems are a Special Exception in the Special Development (S-D) and Heavy Industrial (H-1) districts.
- B. In addition to the requirements of Section 9.9, of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance, zoning certificate applications shall document compliance with Section 9.9 and related subsections. Zoning certificates shall be revoked if the PSES, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the PSES not to be in conformity with the Ordinance. In the case of nonconformity caused by intentional or natural forces, the owner shall have a minimum of 90 days to initiate necessary remedial action to bring the system back in conformance to the Ordinance.
- C. In addition to the application requirements for Special Exceptions under Section 9.9 of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance, a project narrative including the following shall be submitted with the Special Exceptions application: an overview of the project, project location, the approximate generating capacity, the number, representative types, and heights of facilities to be constructed, including their generating capacity, dimension and respective manufactures, and description of any ancillary facilities to the solar-energy



systems. The project narrative shall also include the location in reference to residences, streams and other features of land. In addition to the project narrative, a map from the Natural Resources Conservation Service identifying prime farmland and farmland of statewide importance; documentation from the Pennsylvania Natural Diversity Inventory (PNDI) regarding the presence of any identified critical habitat for rare threatened or endangered federal or state species; a Federal Emergency Management Agency map delineating floodplains and which also include evidence of water quality; and a letter from the Pennsylvania Historic and Museum Commission (PHMC) regarding known archaeological or cultural resources listed or eligible for listing on the National Register shall be included.

- D. Special Exceptions approval is required prior to obtaining Land Development Plan approval. The Special Exceptions approval and Land Development Plan approval processes can be concurrent. All necessary Stormwater Plan approvals, E&S and NPDES permits must be approved prior to receiving final Land Development Plan approval by the Council of Clarksville Borough. An approved Land Development Plan is required for application for a Zoning Certificate.
- E. All PSES developments must comply with all applicable Federal, State and Local regulations and obtain permits required by any governmental regulatory agency with jurisdiction over any aspect of the development. Such requirements include, but shall not be limited to, Soil Erosion and Sedimentation Plans, and NPDES Plans.
- F. The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ATSM), Institute of Electrical and Electronics Engineers (IEEE) and recognized Solar Rate and Standards organizations and shall comply

with the PA Uniform Construction Code, and with all applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the Building Permit Application and Zoning Certificate Application.

- G. Modifications. The Borough may grant modification of the requirements of one or more provisions of Section 9.9 of the Jefferson Morgan Multi-Municipal Zoning Ordinance, or related subsections, if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the property in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed. All requests for a modification shall be in writing and shall state in full the grounds and facts of undue hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary. All requests for modifications shall accompany the Special Exceptions Application for consideration by the Council.
- H. All PSES applications after the effective date of this Ordinance shall be required to meet the terms and conditions of all applicable Jefferson Morgan Multi-Municipal Ordinance, including but not limited to the Clarksville Borough Stormwater Ordinance and the Clarksville Borough Subdivision and Land Development Ordinance.
- I. PSES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to any existing PSES, whether or not existing prior to the effective date of this Section that expands the PSES shall require approval under this Ordinance. Routing maintenance or replacements do not require a permit.
- J. The solar-energy facility owner or operator shall provide the Borough with an affidavit or similar evidence of agreement between the property owner and the solar-energy facility owner



or operator demonstrating permission to apply for necessary permits for construction and operation of a solar-energy facility.

- K. The owner of a PSES shall provide the Borough with written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system. No transmission lines connecting the PSES to the public utility company shall be placed underground in the Borough's road right-of-way.
- L. Liability Insurance. The owner of the PSES shall maintain a general liability policy covering bodily injury and property damage with limits of at least \$1 million per occurrence and \$1 million in the aggregate. Certificates shall be provided to the Borough on an annual basis.
- M. The PSES owner and/or operator shall maintain a phone number throughout the life of the project for the officials of Clarksville Borough to contact with inquiries and verified complaints. The PSES owner and/or operator shall make reasonable efforts to respond to the inquiries and complaints. A contact name, with knowledge of the system, must be provided to Clarksville Borough with updates due to employee advancement or turnover.
- N. All on-site utility transmission lines and plumbing shall be placed underground to the greatest extent feasible.
- O. No portion of a PSES shall contain or be used to display advertising.
- P. PSES that include energy storage that use lithium or lithium-ion batteries shall be required to use an automatic fire suppression system designed to suppress lithium and lithium-ion fires. The design and use of the aforementioned fire suppression system shall be to reasonable satisfaction of the Borough. A gravel berm shall be installed extending at least 30 feet under and around any storage structure and shall be in sufficient size to serve as a fire break.
- Q. Glare.

1. All PSES shall be situated such that concentrated solar radiation, or glare does not project onto nearby properties, structures or roadways.
  2. The applicant has the burden of proving to the satisfaction of the Borough that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
    - a. The applicant is required to conduct a glare study to which the applicant must then provide to the Borough proving that the glare emitting from the PSES will not have an adverse impact on neighboring or adjacent uses.
- R. Noise from a PSES shall not exceed 55 DBA, as measured at the property line.
- S. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
- T. In addition to the solar energy system being properly maintained and be kept free from all hazards, including, but not limited to, faulty wiring and/or batteries, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare, the PSES owner shall repair, maintain and replace the PSES related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition. In the event of a violation, the Borough and/or the Zoning Officer shall give written notice specifying the violations, pursuant to Section 9.9 of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance.
- U. Local Emergency Services and Safety.
1. The applicant shall provide a copy of the project summary and site plan to local emergency services, including paid and volunteer fire department(s).



- a) The applicant shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for PSES.
  - b) A sign shall be posted providing the name of the operator and a phone number to be used in case of an on-site emergency at the primary entrance of the PSES. Additionally, reflective signs shall be posted providing the name of the operator and a phone to be used in case of an on-site emergency along the perimeter of the PSES at intervals of 250 feet.
2. The solar energy system must be properly maintained and be kept free from all hazards, including, but not limited to, faulty wiring and/or batteries, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare.
  3. For PSES systems, the developer shall provide the Borough fire companies with annual training on firefighting procedures, methods, and possible hazards specific to the designed and built system. Any special equipment that may be required to fight a fire at a PSES shall be provided to the fire companies at the expense of the applicant and the fire departments shall be trained in its use.

#### V. Public Road Use and Bonding.

1. The owner shall identify all local public roads to be used within the Borough to transport equipment and parts for construction, operation or maintenance of the PSES.
2. During the construction phase of the PSES the owner shall provide the Borough with a road bond in accordance with the Clarksville Borough Ordinance in effect.

## W. Decommissioning.

1. No construction of the PSES shall be undertaken until the facility owner shall have provided the Borough with a bond to secure the estimated expense of dismantling and removing said PSES, including the restoration of the land for agricultural or other reasonable use based on a consideration of the former use of the land, the current estimated costs for removal and disposal and an inflation factor. The amount of the bond shall be determined by the Borough Engineer based on the submission of an estimate prepared by the PSES facility owner's Engineer and other applicable data.
2. The PSES facility owner shall provide the Borough with an affidavit, or similar evidence, signed by the property owner and the PSES facility owner affirming a lease agreement with a decommissioning clause (or similar) and a Successors and Assigns clause. The decommissioning clause must provide for the dismantling and removal of the PSES, including all solar related equipment or appurtenances related thereto, including but not limited to buildings, electrical components, roads and other associated facilities from the property. The Successors and Assigns clause must bind those successors and assigns to the lease agreement.
3. The PSES owner is required to notify the Borough immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) consecutive months and the owner has not initiated remedial actions to return the PSES to a generating site. If the PSES owner



fails to dismantle and/or remove the PSES, including all off-site, adjacent or right-of-way facilities, including but not limited to powerlines and other electrical facilities which are owned by the PSES facility owner, within eighteen (18) months of cessation or abandonment, the Borough shall have the right to use the bond to complete the decommissioning of the facility in accordance with applicable law.

4. During the operation of the facility, a new engineer's estimate of cost for decommissioning shall be submitted every ten (10) years to the Borough. Upon approval of the estimated costs by the Borough's engineer, a revised surety shall be provided to the Borough in the amount of one hundred fifty percent (150%) of the new estimate. Bonds shall be provided and remain in effect for so long as the PSES remains on site and decommissioning has not been completed.

#### **SECTION 9.9 (D) Ground Mounted Principal Solar Energy Systems.**

1. Minimum Lot Size. The PSES shall meet the lot size requirements of the applicable zoning district.
2. Setbacks. PSES shall comply with the following setback requirements.
  - a) The building setbacks of the applicable zoning districts, except:
    - (1) Solar panels of a PSES shall not be located within 225 feet of any existing residential dwelling, or 50 feet from any adjoining parcel with an existing residential dwelling.
    - (2) The PSES perimeter fence shall comply with the building setbacks of the applicable zoning district, except when abutting a public road right-of-way,

shall be 75 feet from the edge of the right-of-way. Any area abutting a public road right-of-way shall be properly maintained and shall be mowed once between the months of April 1<sup>st</sup> and June 30<sup>th</sup> of each year.

- b) If the PSES occupies two or more adjacent properties, setbacks between the adjacent properties shall be waived along the shared property boundaries so that the PSES may be installed continuously and make the most efficient use of the project area.

3. Height. The height of ground mounted PSES solar panels at the place where mounted, shall not exceed 18 feet above ground level.

4. Impervious Coverage.

- a) The post-development area beneath the ground mounted PSES may be considered equivalent to the pre-development conditions, if it can be shown that such conditions will not be changed or impacted by the proposed project. However, use of impervious construction materials under the system could cause the area to be considered impervious and subject to the overall lot coverage requirement for the applicable zoning district.

- b) Gravel and paved access roads servicing the PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitation.

- c) Consideration of coverages resulting from the PSES shall be considered in accordance with the Borough's Stormwater Management Ordinance requirements, and nothing stated herein shall be considered as an exemption or variance from conformance with the Borough's Stormwater management Ordinance.

5. Stormwater.



- a) The Applicant shall submit a storm water management plan that demonstrates complete conformance with the Borough's Stormwater Management Ordinance. As a primary design consideration all efforts shall be made to ensure that stormwater from the PSES will infiltrate into the ground beneath the PSES at a rate equal to that of the infiltration rate prior to the placement of the system. Demonstration of design efforts to promote and ensure post-development infiltration to the greatest extent possible shall be included as part of the stormwater management plan.
- b) PSES owners shall use low maintenance and/or low growing native perennial vegetation on surfaces under the system as a best management practice for stormwater management and as identified by the Pennsylvania Department of Conservation and Natural Resources.
- c) If upon investigation, the Borough determines that the stormwater management measures approved as a part of the Stormwater Management Plan are inadequate to manage the stormwater in the manner required, the PSES owner/operator shall take prompt action to submit a plan for and to construct such remedial facilities to provide stormwater management controls to meet the requirements of applicable stormwater management regulations.

6. Screening, Vegetation and Ground Cover.

- a) Road screening shall consist of an 8-foot-high opaque decorative or slat fence installed to create a continuous visual barrier, or a double staggered row of native shrubs, 6'-8' when mature, placed to create a continuous visual barrier, and properly maintained and replaced when necessary. Fencing shall consist of a

color that will blend the facility into the natural setting and existing environment.

A PSES owner shall use native shrub species identified by the Pennsylvania Department of Conservation and Natural Resources. Shrubs shall be planted outside the road right-of-way. Solar perimeter fence shall be placed between shrubs and solar panels. Reasonable modifications to these requirements may be requested pursuant to Section 9.9. Modification, above.

- b) Screening from an adjoining parcel with an existing residential dwelling shall consist of an 8-foot-high opaque decorative or slat fence installed to create a continuous visual barrier; or a double staggered row of native evergreen conifers or native broadleaf evergreens spaced in accordance with the chosen species to achieve a continuous visual barrier reaching 6' to 8' in height within 2 years of planting and properly maintained and replaced when necessary, in order to create a continuous visual barrier; or a natural wooded buffer at least 30' in width. Fencing shall consist of a color that will blend the facility into the natural setting and existing environment. A PSES owner shall use native evergreen conifers or native broadleaf evergreens identified by the Pennsylvania Department of Conservation and Natural Resources. Screening from an adjoining parcel with an existing residential dwelling may be a combination of plantings and/or structures with prior approval by the Borough. Reasonable modifications to these requirements may be requested pursuant to Section 9.9 (C).

- 7. Perimeter fencing shall be placed between the selected screening and solar panels.
- 8. Large-scale removal of mature trees on the site is discouraged.



9. Ground cover shall consist of native perennial vegetation and foraging habitat beneficial to gamebirds, songbirds and pollinators. When establishing native perennial vegetation and beneficial foraging habitat, a PSES owner shall use native plant species identified by the Pennsylvania Department of Conservation and Natural Resources. In order to ensure adequate sunlight to foster growth of ground cover, fixed, non-tracking solar arrays must be installed so that the lower drip edge of an array is no lower than 36" above grade.
10. Use of herbicides to control ground cover growth is prohibited.
11. Ground mounted PSES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede the pre-existing flow of storm water runoff within said stormwater conveyance system.
12. Security.
  - a) In accordance with the National Electric Code (NEC), all ground mounted PSES shall be completely enclosed by fencing with a locking gate. Current NEC code requires a minimum six (6) foot high fence with barbed wire, or a 7' high fence.
  - b) A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the PSES informing individuals of potential voltage hazards.
13. Access Drives.
  - a) At a minimum, a 25' wide access road must be provided from a state or township roadway into the site.
  - b) At a minimum, a 15' wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles

including fire apparatus and emergency vehicles. Cartway width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it.

14. The ground mounted PSES shall not be artificially lit except to the extent required for safety or applicable federal, state or local authority. No lighting shall directly project or impose glare beyond the subject property boundary.
15. If a ground mounted PSES is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system must be returned to an environmentally stable condition.

**SECTION 9.9 (E) Roof Mounted Principal Solar Energy Systems.**

1. The owner shall provide evidence certified by an appropriately licensed professional that the roof is capable of holding the load of the PSES.
2. PSES mounted on roofs of any building shall be subject to the maximum height regulations specified for buildings within the applicable zoning district.

**SECTION 7. Amendment of Table 3.1; Use Table of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Table of Authorized Uses (Table 3.1) of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance.** “Table 3.1” of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance is hereby amended to add “Pet Crematory” (See Table 3.1) as a Permitted Use, in Agricultural Zoning Districts.

**SECTION 8. Construction and Severability Amendment of Table 3.1; Use Table of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance entitled “Table of Authorized Uses (Table 3.1) of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance.** “Table 3.1” of



the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance is hereby amended to merge the Zoning Districts of “Village” and “Village Center” to create one singular “Village Center” District.

**SECTION 9. Construction and Severability**

- A. The provisions of this Ordinance shall be construed to the maximum extent possible to further the purposes and policies set forth herein, as consistent with applicable state statutes and regulations. If the provisions of this section and state law are in conflict, then state law shall prevail.
- B. It is the intention of the Borough’s Council that the provisions of this Ordinance shall be declared unconstitutional or invalid by the judgement or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining provisions of this Ordinance.

**SECTION 10. Repealer.** All prior ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 11. Ratification.** Except as amended by this Ordinance, all other portions, parts and provisions of the 2018 Jefferson Morgan Multi-Municipal Zoning Ordinance, as heretofore enacted and amended, shall remain in force and effect.

**SECTION 12. Effective Date.** This Ordinance shall be effective five (5) days after its enactment.

SIGNATURE PAGE TO FOLLOW

This Ordinance shall be effective five (5) days after approval.

**ENACTED AND ORDAINED** by the Council of Clarksville Borough, Greene County,  
Pennsylvania, this 8<sup>th</sup> day of APRIL, 2025.

**ATTEST:**

**CLARKSVILLE BOROUGH**

Mary Shipley  
Mary Shipley, Secretary/Treasurer

By:

Jason Dikun  
Jason Dikun, President

(SEAL)

