

ORDINANCE NO. 2023-15
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**AN ORDINANCE REVISING GREEN TOWNSHIP CODE SECTIONS 30-34.2, 30-44.2,
30-45.2 AND 30-50.2 TO PERMIT ROOFTOP SOLAR ARRAYS ON EXISTING
STRUCTURES**

WHEREAS, Green Township Code Sections 30-34.2, 30-44.2, 30-45.2 and 30-50.2 permit rooftop solar arrays as accessory uses within the AR, R, NC, RB and AI-10 Districts; and

WHEREAS, the Township has received public comment regarding a desire to construct residential rooftop solar arrays in a more expedited way on existing residences without need for Land Use Board approval; and

WHEREAS, the Township has reviewed its Code and desires to amend the Township Code to permit roof-mounted solar systems on lawfully pre-existing structures in a more expedited way, to support renewable energy and the use of solar energy, as encouraged by New Jersey legislation.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Green, Sussex County, New Jersey, as follows:

SECTION 1.

Green Township Code Section 30-34.2(i), concerning rooftop solar arrays as permitted accessory uses in the AR Agricultural Residential Districts and R Residential Districts, shall be deleted in its entirety and replaced as follows:

- i. Rooftop solar arrays constructed within the confines of and not extending beyond the footprint of lawfully pre-existing structures, which solar array height shall not exceed twelve (12") inches above the existing roof surface and resulting in an overall height in conformance with that permitted for the principal structure in the zone district in which the property is located. All rooftop solar arrays shall be setback at least five (5') from all property lines. The design of the solar array shall conform to all applicable industry standards including the New Jersey Uniform Construction Code, the National Electric Code. A building permit shall be applied for and obtained prior to construction. All design and installation work shall comply with all applicable provisions in the National Electric Code and relevant building and fire regulations.

SECTION 2.

Green Township Code Section 30-44.2(e), concerning rooftop solar arrays as permitted accessory uses in the RB Business District, shall be deleted in its entirety and replaced as follows:

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- e. Rooftop solar arrays constructed within the confines of and not extending beyond the footprint of lawfully pre-existing structures, which solar array height shall not exceed twelve (12") inches above the existing roof surface and resulting in an overall height in conformance with that permitted for the principal structure in the zone district in which the property is located. All rooftop solar arrays shall be setback at least five (5') from all property lines. The design of the solar array shall conform to all applicable industry standards including the New Jersey Uniform Construction Code, the National Electric Code. A building permit shall be applied for and obtained prior to construction. All design and installation work shall comply with all applicable provisions in the National Electric Code and relevant building and fire regulations.

SECTION 3.

Green Township Code Section 30-45.2(e), concerning rooftop solar arrays as permitted accessory uses in the NC Neighborhood Commercial Districts shall be deleted in its entirety and replaced as follows:

- e. Rooftop solar arrays constructed within the confines of and not extending beyond the footprint of lawfully pre-existing structures, which solar array height shall not exceed twelve (12") inches above the existing roof surface and resulting in an overall height in conformance with that permitted for the principal structure in the zone district in which the property is located. All rooftop solar arrays shall be setback at least five (5') from all property lines. The design of the solar array shall conform to all applicable industry standards including the New Jersey Uniform Construction Code, the National Electric Code. A building permit shall be applied for and obtained prior to construction. All design and installation work shall comply with all applicable provisions in the National Electric Code and relevant building and fire regulations.

SECTION 4.

Green Township Code Section 30-50.2(f), concerning rooftop solar arrays as permitted accessory uses in the AI-10 Agricultural Industrial District, shall be deleted in its entirety and replaced as follows:

Rooftop solar arrays constructed within the confines of and not extending beyond the footprint of lawfully pre-existing structures, which solar array height shall not exceed twelve (12") inches above the existing roof surface of a peaked roof and not exceeding a height of four (4') feet from the existing roof surface of a flat roof, and not resulting in an overall height in excess of that permitted for the principal structure in the zone district in which the property is located. All rooftop solar arrays shall be setback at least five (5') from all property lines. The design of the solar array shall conform to all applicable industry standards including the New Jersey Uniform

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Construction Code, the National Electric Code. A building permit shall be applied for and obtained prior to construction. All design and installation work shall comply with all applicable provisions in the National Electric Code and relevant building and fire regulations.

SECTION 5

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 6 - REPEALER

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

SECTION 8: NOTICE

The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Municipal Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, RMC, Township Clerk

Margaret Phillips, Mayor

Record of Vote - Introduction:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung			√			
Qarmout	√		√			
Raffay		√	√			
Rose			√			
Mayor Phillips			√			

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Record of Vote - Adoption:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung		√	√			
Qarmout			√			
Raffay	√		√			
Rose			√			
Mayor Phillips			√			

INTRODUCED: November 6, 2023
ADOPTED: November 20, 2023

ADVERTISED: November 12, 2023
ADVERTISED: November 26, 2023