

**TOWN OF GRAND CHUTE
OUTAGAMIE COUNTY, WISCONSIN
O-07-2024**

AN ORDINANCE OF THE TOWN BOARD OF THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN AMENDING EXISTING CHAPTER 535 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BY AMENDING CHAPTER 535 ARTICLE XVII PERTAINING TO FREESTANDING SOLAR ENERGY SYSTEMS.

WHEREAS, Chapter 535 of the Town of Grand Chute Municipal Code regulates freestanding solar energy systems; and,

WHEREAS, the Town of Grand Chute has determined the need to amend said Municipal Code to align with Wis. Stats. § 66.0401, allow freestanding solar energy systems in side yards of properties, and to outline the Variance process to provide relief from the Town of Grand Chute requirements in the case of a hardship.

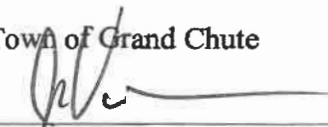
NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Grand Chute, that Chapter 535 of the Code of General Ordinances is hereby amended Chapter 535 Article XVII as shown on the attached Exhibit "A".

Dated this 18 day of June, 2024.

This ordinance shall take effect and be in full force from and after its passage and publication or posting.

I hereby certify that the foregoing ordinance was duly adopted by a majority of the Town Board with a quorum present at a properly noticed meeting.

Town of Grand Chute


By: Jason Van Eperen
Town Chair


Attest: Kayla Raatz
Town Clerk

Exhibit "A"

TOWN OF GRAND CHUTE

ORDINANCE, SERIES OF O-07-2024

AN ORDINANCE OF THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, AMENDING EXISTING CHAPTER 535 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BY AMENDING ARTICLE XVII OF THIS CHAPTER, PERTAINING TO FREESTANDING SOLAR ENERGY SYSTEMS.

ARTICLE XVII

Freestanding Solar Energy Systems

§ 535-121. Permit required.

No person, firm, partnership, limited liability company, corporation, or any other entity shall be allowed to construct a solar energy system, as defined in § 13.48(2)(h)(l)(g), Wis. Stats., within the Town of Grand Chute without first obtaining a permit as herein required.

§ 535-122. Application for permit.

Every application for a permit shall be made upon a form furnished by the Community Development Department and verified and shall contain the name, place of residence, ~~age, and occupation of the applicant,~~ the purpose for which a permit is desired, and detailed plans for the installation and location of the solar energy system. Such plans shall include, but shall not necessarily be limited to, a map of the exact location of the solar energy system, a narrative explanation or description of the size and nature of the solar energy system, as well as detailed specifications of the solar energy system sufficient to make any determination necessary under § 535-123 below.

§ 535-123. Investigation; action on permit application.

Upon receipt of each such application, the Community Development Director shall immediately institute such investigation of the applicant's detailed plans and specifications for the solar energy system, and may involve other departments of the Town, consultants, and/or experts, as useful or necessary. The Community Development Director shall decide whether to approve, deny, or conditionally approve an application; ~~however, an application may only be denied or conditionally approved in accordance with the provisions of § 66.0401, Wis. Stats. In addition,~~ and in accordance with **both § 66.0401 Wis. Stats. and the following design criteria: no permit application shall be approved for any solar energy system unless the following design criteria are met:**

- A. The height of any freestanding solar energy system and/or attached accessory may not exceed the distance from the base or any projection of the solar energy system to ~~the nearest adjoining any applicable adjacent~~ **sidewalk, or publicly utilized facility of any nature.**
- B. The height of any solar energy system and/or attached accessory which is affixed to or made part of a principal building located on any property may not exceed the height of the principal building structure.
- C. A solar energy system shall be located in the rear **or side** yard.
- D. The applicant understands that no ~~adjoining applicable adjacent~~ property owner shall be required to remove structures or vegetation that may block sunlight to the solar energy

system.

- E. Neighbors within a three-hundred-foot radius of a proposed solar unit being installed are to be notified by the Town of the installation and this cost will become part of the permit cost.

§ 535-124. Permit application fee.

The permit application fee shall be payable according to the Town Building Permit Fee Schedule.

§ 535-125. Variance.

In any particular case where a landowner can show that strict compliance with any requirement of this article would cause unnecessary hardship and/or would not comply with the requirements outlined in § 66.0401, the Plan Commission may grant a Variance from the provisions of this article, provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this article or the desirable general development of the Town of Grand Chute. No Variance shall be granted by the Plan Commission that is contrary to provisions of the Wisconsin Administrative Code or the Wisconsin Statutes.