

Solar Application

Office Use Only:

Zoning Application No. _____ Date: _____
Permanent Parcel No. _____ Fee: _____ Check # or Cash: _____
Zoning Classification: _____ ATF- Var. – Special Use – Map Change- Month & Year _____

APPLICANTS INFORMATION

FULL NAME: _____ PHONE NO. _____

ADDRESS: _____
Street Address City State ZIP Code

EMAIL: _____ OTHER NO. _____

LOCATION AND LEASED INFORMATION

FULL NAME: _____ PHONE NO. _____

LOCATION ADDRESS OF SOLAR PANELS: _____

TOWNSHIP: _____ SUBDIVISION NAME: _____

SOLAR CONTRACTOR INFORMATION

LICENSE, CERTIFICATION OR REGISTRATION NO: _____

CO. NAME: _____

COMPLETE THIS SECTION

Zoning of Property: _____ Parcel No. _____

Please note in description if; roof flush mount, roof mounted & elevation, ground array.

How many solar panel? _____ Number of Arrays? _____ Solar Farm or Garden: Size Acres _____

Size of System-(Watt or kW): _____ Height _____ Width _____ UL Listing: Yes or No

Systems Components: # and size of panels, inverter, batteries, ect: _____

Distances from Residents to the: North _____ South _____ East _____ West _____

Letter from property owners: () Yes () No. If yes please attach. Please provide the Quote for the project.

Any Part of the land in the Enterprise Zone? () Yes () No

Any part of the land in Carlyle Lake Flowage Easement? () Yes () No

Is any part of the tract of land in the floodplain based on the Flood Hazard Boundary Map? () Yes () No

You have a signed lease agreement from owner (s) of the property? () Yes () No If Yes, Please provide.

(If you answered yes to any of the above questions, more information may needed before a permit is issued).

PROVIDE A DRAWING AND ATTACH TO APPLICATION

Please provide all setbacks on your drawing:

Front – Rear – All sides – Measure from the structure to centerline of roads
 Mark out lateral field if applicable

MUST READ

Applicants are encouraged to visit, call or e-mail jami.staser@clintonco.illinois.gov or kay.thole@clintonco.illinois.gov for any assistance needed in completing this form or visit the Website: <http://www.clintoncountyzoning.com/>

Application is hereby made for a Certificate of Zoning Compliance, as required under the ZONING ORDINANCE OF CLINTON COUNTY, for the erection, moving or alteration, and use of buildings and premises. In making this application the applicant represents all of the above statements and any attached maps and drawings to be a true description of the proposed new or altered uses and/or buildings. The applicant agrees that the permit issued may be revoked without notice on any breach of representation or conditions. It is understood that any permit issued on this application will not grant right of privilege to erect any structure or to use any premises described for any purpose or in any manner prohibited by the ZONING ORDINANCE, or by other ORDINANCES, CODES, or REGULATIONS of CLINTON COUNTY, ILLINOIS.

I hereby certify that I have read and understood the above requirements; and I have the authority to make this application and that the information given is correct. I guarantee that the proposed work described with this application and the accompanying plans and drawings meet Clinton County's Zoning Ordinance.

Disclaimer and Signatures

STATE OF ILLINOIS)

SS

County of Clinton)

I, _____, a Notary Public, in and for said county, and state, do hereby certify that _____ personally known to be the same person(s) whose name(s) appear below and have appeared before me this day and acknowledged that the statements contained therein are true. Given under my hand and seal this ____ day of _____, _____.

(Notary Seal)

Notary Public Signature

Applicants

Signature: _____

Date: _____

Owner(s)

Signature: _____

Date: _____

RESOLUTION ESTABLISHING ZONING FEES

Whereas Clinton County has in force a County Zoning Ordinance wherein various fees have been established; and whereas said ordinance provides for changes in said fees when appropriated: Now therefore be it resolved by the Clinton County Board that the following fees are hereby established for Clinton County Zoning:

Zoning Certificates of Compliance (Building Permit)

0-10 kilowatts (kW)	\$100.00
11-50 kilowatts (kW)	\$250.00
51-100 kilowatts (kW)	\$500.00
101-500 kilowatts (kW)	\$1,000.00
501- 1,000 kilowatts (kW)	\$2,500.00
1,001-2,000 kilowatts (kW)	5,000.00

ALL FEES ARE NON-REFUNDABLE

PLEASE MAKE CHECK PAYABLE TO CLINTON COUNTY ZONING

OFFICE USE ONLY

Zoning District: _____ Required Setbacks: Front – Rear – Center of Rd. _____ Hearing: Yes/ No _____

Height of Structure: _____ Flowage Easement: Yes / No _____ Flood Plain: Yes / No _____ Joe Smothers: Yes / No _____

EcoCat: Yes / No _____ 911 Addressing: _____ APPROVED THIS _____ DAY OF _____, _____ APPROVED BY: _____

DATE: _____ Emailed: _____ Mailed: _____ Handout @ Meeting/ in office: _____ By: _____

CLINTON COUNTY ZONING DEPARTMENT

850 Fairfax St., Carlyle, IL 62231

Phone: (618) 594-6655

Fax: (618) 594-6006

<https://www.clintonco.illinois.gov/county-offices/zoning/>

LOT SIZE, SETBACK AND HEIGHT RESTRICTIONS BY DISTRICT SECTION 40-3-6

DISTRICTS	“A”	“AR”	“R1”	“R2”	“R3”	“C”	“I”
MINIMUM DISTRICT AREA	40 acres	10 acres	10 acres	10 acres	10 acres	2 acres	10 acres
MINIMUM LOT AREA	40 acres	3 acres	1 acre	10,000 sq ft or 2,500 sq ft per dwelling unit, whichever is greater	7500 sq. ft.	6000 sq. ft.	20,000 sq. ft.
MINIMUM LOT WIDTH(at established building line)	800 ft.	150 ft.	100 ft.	75 ft.	50 ft.	50 ft.	125 ft.
MINIMUM LOT DEPTH	800 ft.	150 ft.	100 ft.	100 ft.	100 ft.	100 ft.	150 ft.
MINIMUM SETBACKS From front lot line: (Except along County roads outside the incorporated limits of any city, village or incorporated town, the minimum setback shall be 100 ft from the center line of the road, & Township roads the minimum setback shall be 75 ft from the center line of the road). Along Interstate and State Routes, the minimum setback shall be 75 ft. from easements or right-of-way line.	50 ft.	50 ft.	**50 ft.	25 ft.	25 ft.	none – (only applies to incorporated areas)	50 ft.
From side lot line:	25 ft.	25 ft.	**25 ft.	10 ft.	10 ft.	None	25 ft.
From rear lot line:	25 ft.	25 ft.	**25 ft.	10 ft.	10 ft.	None	25 ft.
Maximum Height Structure	None	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	None

**Subdivisions existing prior to the adoption of this ordinance, on January 1, 1991, shall use the minimum setback requirements as established for the R2 District.

The above restrictions are for the particular district in which said lot/principal structure is located.

PTAX-330 Application for Solar Energy Assessment

Who should complete this form?

You should complete this form to request an **alternate assessment** if you are using a solar energy system that has been installed on your property. The solar energy system must conform to the standards established by the Illinois Department of Commerce and Economic Opportunity. You must file this form with the chief county assessment officer (CCAO) at the address shown below.

Note: Attach copies of receipts for cost and installation of the solar energy system. If you discontinue the use of the solar energy system valued under this alternate assessment, you **must** notify the CCAO in writing, by certified mail, within 30 days.

Step 1: Complete the following information

1 _____
Property owner's name

Street address

City _____ State _____ ZIP _____
()

Phone _____

Send notice to (if different than above)

2 _____
Name

Mailing address

City _____ State _____ ZIP _____
()

Phone _____

3 Write the date you began using the solar energy system. 3 ____/____/____
Month Day Year

4 Check the type of solar energy for which the system is being utilized.

a Hot water d Heating

b Cooling e Generating electricity

c Other (Describe in detail.)

5 a Describe in detail the use of the system.

b Write the amount of area that is served by the solar energy system, such as square feet or number of rooms.

6 Write the total installed cost of the solar energy system. 6 _____

7 Write the property index number (PIN) of the property for which you are requesting this solar energy assessment. Your PIN is listed on your property tax bill or you may obtain it from the CCAO. If you are unable to obtain your PIN, write the legal description on Line b.

a PIN ____ - ____ - ____ - ____ - ____

b Write the legal description only if you are unable to obtain your PIN.

8 Write the street address of the property, if different than the address in Item 1.

Street address _____

City _____ IL _____ ZIP _____

Step 2: Sign below

I state that, to the best of my knowledge, the information contained in this application is true, correct, and complete.

Property owner's or authorized representative's signature _____ Date _____

If you have any questions, please call:
(618) 594-6610

Mail your completed Form PTAX-330 to:
CLINTON _____ County Chief County Assessment Officer

850 FAIRFAX ST

Mailing address _____

CARLYLE _____ IL _____ 62231

City _____ ZIP _____

For use by the CCAO

Do not write in this space.

Attach one copy of this document to the property record card.

Date received ____/____/____
Month Day Year

Approved Yes No

Date approved ____/____/____
Month Day Year

Denied Yes No

Date denied ____/____/____
Month Day Year

Reason for denial _____

Sponsor: Administrator of Zoning

ORDINANCE NO. 2018 - 8 - 33

**AN ORDINANCE AMENDING CHAPTER 40 (ZONING CODE) OF THE REVISED
CODE OF ORDINANCES OF THE COUNTY OF CLINTON
ESTABLISHING RULES, REGULATIONS AND PROCEDURES GOVERNING SOLAR
ENERGY SYSTEMS UNDER THE JURISDICTION OF THE COUNTY OF CLINTON**

WHEREAS, the Clinton County Zoning Board of Appeals has proposed a text amendment to The Revised Code of Ordinances of Clinton County, as hereinafter set forth; and

WHEREAS, the Clinton County Board has determined that said request for a text amendment submitted by Clinton County Zoning Board of Appeals should be approved.

NOW, THEREFORE, be it hereby ordained by the Clinton County Board as follows:

SECTION A: The Revised Code of Ordinances of Clinton County, CHAPTER 40, ZONING CODE, ARTICLE IV – REGULATIONS FOR SPECIFIC DISTRICTS , DIVISION I – AGRICULTURE DISTRICT is hereby amended by adding thereto the following:

In 40-4-3 SPECIAL USES

“SOLAR FARM ENERGY SYSTEMS”

SECTION B: The Revised Code of Ordinances of Clinton County, CHAPTER 40, ZONING CODE, ARTICLE IV – REGULATIONS FOR SPECIFIC DISTRICTS, DIVISION III – COMMERCIAL DISTRICT is hereby amended by adding thereto the following:

In 40-4-48 SPECIAL USES

“SOLAR FARM ENERGY SYSTEMS”

SECTION C: The Revised Code of Ordinances of Clinton County, CHAPTER 40, ZONING CODE, ARTICLE IV – REGULATIONS FOR SPECIFIC DISTRICTS, DIVISION IV – INDUSTRIAL DISTRICT is hereby amended by adding thereto the following:

In 40-4-64 SPECIAL USES

“SOLAR FARM ENERGY SYSTEMS”

SECTION D: The Revised Code of Ordinances of Clinton County, CHAPTER 40, ZONING CODE, ARTICLE V – SUPPLEMENTARY REGULATIONS, is hereby amended by adding thereto the following:

“40-5-23 SOLAR ENERGY SYSTEMS

(1) Definitions:

Ground Mount: A solar energy system that is directly installed into the ground and is not attached or affixed to an existing structure.

Net Metering: A billing arrangement that allows solar customers to get credit for excess electricity that they generate and deliver back to the grid so that they only pay for their net electricity usage at the end of the month.

Personal Solar Energy System (PSES): Any device or combination of devices or elements which rely upon direct sunlight as an energy source including but not limited to any substance or device which collects sunlight for generating electricity for use on-site. However, the energy output may be delivered to a power grid to offset the cost of energy on-site.

Solar Energy: Radiant Energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System (SES): All components required to become a complete assembly or structure that will convert solar energy into electricity for use.

Solar Farm Energy System (SFES): A utility scale facility that converts sunlight into electricity for the primary purpose of selling wholesale or retail generated electricity for on-site and off-site use. A solar farm is the principal land use for the parcel on which it is located.

(2) Building Permit Requirements and Fees

Solar Energy Systems (SES) will be required to have a Clinton County Building Permit. Solar Energy Systems constructed before a Building Permit has been issued will be charged double the permit fee. A written plan and a plat/drawing for the proposed Solar Energy System shall be provided with the Building Permit Application. The plat/drawing must show the location of the system on the building or on the property, with all property lines and setbacks indicated.

Fees for processing the applications for building permits shall be submitted to and collected by the Clinton County Zoning Department as follows:

0-10 kilowatts (kW AC)	\$ 100.00
11-50 kilowatts (kW AC)	\$ 250.00
51-100 kilowatts (kW AC)	\$ 500.00
101-500 kilowatts (kW AC)	\$ 1,000.00
501-1,000 kilowatts (kW AC)	\$ 2,500.00
1,001-2,000 kilowatts (kW AC)	\$ 5,000.00
Over 2,000 kilowatts (kW AC)	\$ 100.00 for each additional 0–100 kilowatts

The above fees do not include inspection fees, which must be paid for by the applicant. The inspector must be approved by Clinton County.

(3) Personal Solar Energy System (PSES)

Personal Solar Energy Systems (PSES) shall be considered an accessory use to a principal structure or a granted special use in any zoning district. The PSES shall provide electricity for on-site use that shall be used solely to reduce on-site consumption of utility power, but energy output may be delivered to a power grid to offset the cost of energy on-site. Electric solar energy system components must have an Underwriters Laboratory (UL) listing or approved equivalent. Solar energy collectors shall be documented by the manufacturer as being non-reflective pursuant to recognized engineering standards showing reflectivity of less than thirty percent (30%). Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties. PSES must be in compliance with all local, state, or federal laws and is subject to the following requirements:

Height Restrictions

- (A) Ground or pole mounted solar energy systems when oriented at maximum tilt shall not exceed 10 feet and the size shall not occupy more than 2500 square feet of ground in any zoning districts.

Setback Requirements

- (A) Ground mounted solar energy systems, when oriented at any and all positions, shall meet the accessory structure requirements for the zoning district in which the unit is located.
- (B) Ground mounted solar energy systems shall not extend beyond the side yard or rear yard setback when oriented at maximum design tilt.
- (C) No solar energy system shall be allowed to be placed in the front yard of any residential property.
- (D) For solar units located within 500 feet of an airport or within approach zones of an airport, the applicant shall complete and provide the results of the Solar Glaze Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federal Obligated Airports, or most recent version adopted by the FAA.
- (E) Electric solar energy system components must have an Underwriters Laboratory (UL) Listing or approved equivalent. Solar energy collectors shall be documented by the manufacturer as being non-reflective pursuant to recognized engineering standards showing reflectivity of less than thirty percent (30%) and shall be placed such that concentrated sunlight or glare shall not be directed onto aircraft or nearby properties or streets.
- (F) PSES may require screening from public view (including adjacent properties and public right of ways) by fencing, walls, plantings, or other architectural feature, or any combination thereof, provided however, that the screening not be required to be so dense or tall, or so located as to render the equipment essentially non-functional.

Application

- (A) Prior to construction of the Personal Solar Energy System, a Zoning Certificate of Compliance must be obtained from the Clinton County Zoning Department. All information required by the Zoning Administrator and the following must be submitted to obtain a Zoning Certificate of Compliance:
- i. Name, address, phone number of the applicant and property owner
 - ii. Site Plan showing property lines, all structures, setback lines, septic fields and field tile locations if applicable
 - iii. Location of all solar panels and associated equipment
 - iv. Location of the electrical disconnect for the PSES
 - v. Evidence the local electric utility has been informed of the applicant's intent to install a PSES
 - vi. Evidence the site plan has been submitted to the local fire protection district or department.

(4) Solar Farm Energy Systems (SFES)

Solar Farm Energy Systems (SFES) is a facility on a parcel of five (5) or more acres for on-site or off-site use with the primary purpose of selling wholesale or retail generated electricity. All Solar Farm Energy Systems (SFES) will require a Special Use permit, which may be applied for in Agricultural, Commercial or Industrial Districts.

Setback and Height Restrictions

- (A) No aspect shall exceed 18 feet in height, as measured from grade at the base of the structure to its highest point.
- (B) All solar panels in a Solar Farm Energy System (SFES) shall be kept at least five hundred feet from a residence that is not part of the specific solar energy system permit/plan.
- (C) All aspects and components shall be set back no less than fifty feet from any lot line, 100 feet from the center line along County roads, 75 feet from the center line of Township roads and 75 feet from Interstate and State Route easements or Right of Way.

Fencing and Weed/Grass Control

- (A) The perimeter shall be secured by security fencing of at least six (6) feet in height. The fence shall be maintained by the applicant. The fence shall contain an appropriate warning signage containing "High Voltage", the facilities 911 address and a 24 hour emergency contact number. Knox boxes and keys shall be provided at locked entrances for emergency personnel access. The name and phone numbers of the electric utility provider and site operator shall be posted as well as the facility address.
- (B) The applicant shall submit and adhere to an acceptable weed/grass control plan for property inside and outside the fenced area.

Safety/Fire Protection

- (A) The applicant, owner or operator shall submit to the local fire protection district a copy of the site plan.
- (B) A means of access for emergency services shall be provided and maintained.
- (C) The facility shall provide approval for access points from the road authority having jurisdiction.
- (D) All other applicable fire, life safety and/or emergency response laws and regulations apply.
- (E) All wiring between solar panels and the solar farm facility substation shall be underground unless approved by Clinton County.
- (F) Names and phone numbers of the site operator and electric utility provider must be provided to the Zoning Department, Sheriff's Department and Fire Department. Any changes of contact shall be reported immediately.
- (G) Power and communication lines running between banks of solar panels and to electric substations or interconnections with building shall be buried underground unless water courses or other elements of natural landscape interfere.
- (H) If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel.
- (I) Noise levels measured at property line shall not exceed 50 decibels when located adjacent to an existing residence or residential district.
- (J) The SFES shall be designed and located to prevent glare toward any structure on nearby properties and roadways, including, but not limited to, highways and streets.
- (K) SFES shall conform to all applicable industry standards, including those from the UL and Federal Aviation Administration (FAA) and, when applicable, all SFES shall conform to any applicable Air Installation Compatible Use Zone (AICUZ) study, and the requirements of any overlay district, including but not limited to the Airport Overlay (AO) District. All applicable county, state, and national construction and electric codes shall be followed.
- (L) Any other requirements or conditions as determined necessary by the Clinton County Zoning Board of Appeals.

Outdoor Storage

Only the outdoor storage of materials, vehicles and equipment that directly support the operation and maintenance of the solar farm shall be allowed.

Utility Notification

A copy of the power purchase agreement and/or interconnection agreement must be submitted to the Zoning Department before obtaining a building permit.

Application

- (A) SFES shall be required to submit and obtain approval on the following items in addition to any requirements specified in the special use section of the county code or any special conditions required by the Zoning Board of Appeals or Clinton County Board:

- i. A written summary of the project including a general description of the project, including its approximate generating capacity.
- ii. The names, addresses and phone numbers of the owner and operator.
- iii. Site Plan With Existing Conditions Showing The Following:
 - a. Existing property lines and property lines extending 100 feet from the exterior boundaries, including the names of adjacent property owners and current use of those properties.
 - b. Existing public and private roads, showing widths of roads and any associated easements.
 - c. Location and size of any wells and septic field.
 - d. Existing buildings with their uses identified
 - e. If there is floodplain on the property, elevations may be required.
 - f. Location of any field tiles.
- iv. Site Plan of Proposed Conditions:
 - a. Location and spacing of solar panels
 - b. Setback lines
 - c. Location of access roads and access points
 - d. Planned location of underground or overhead electric lines connecting the solar farm to a building, substation or other electric load.
 - e. Description of method connecting the array to a building or substation.
 - f. All SFES structures including, but not limited to, fencing, gates, substation, interconnect substation that is to be the connection point for the solar farm, and location and voltage of any overhead transmission lines.
 - g. An executed agreement between the owner/operator and all road district authorities affected by the solar farm.
 - h. Examples of facility signage
 - i. A plan for ongoing maintenance of the SFES
 - j. A decommissioning plan with a description of the plan to remove the SFES equipment and restore the land to its previous use upon the end of the project's life or cessation of operations. Provisions for the removal of structures, debris, and associated equipment on the surface to a level of not less than five feet below the surface, and the sequence and timing in which the removal is expected to occur.

Zoning Certificate of Compliance

Prior to construction, a Zoning Certificate (building permit) must be obtained from the Clinton County Zoning Department. The applicant shall submit an updated and finalized site plan with all items previously required in the application for a special use and any modifications required by the Zoning Board of Appeals, Clinton County Board and Zoning Administrator. Additional items to be included are:

- (A) The owner or operator of the SFES shall enter into an Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture prior to commencement of construction. A copy of the agreement must be submitted to the Zoning Department.

- (B) The owner or operator shall initiate a consultation process, and pay all applicable fees to, the Illinois Department of Natural Resources. A copy of the consultation determination (EcoCAT) must be submitted to the Zoning Department.
- (C) A copy of the lease agreement, interconnection agreement and power purchase agreement.
- (D) All required studies, reports, certifications, insurance policies, declaration pages, approvals, and other documentation demonstrating compliance with the provisions of this Section.
- (E) Applicant shall submit to the Clinton County Zoning Department an estimate of decommissioning costs certified by an independent professional engineer (not the applicant, owner, nor any employee, agent, or affiliate of the same). Clinton County may, at the Applicant's expense, hire its own qualified engineer to verify the accuracy of the estimate of decommissioning costs.
- (F) A performance bond equal or greater than the estimated amount of the decommissioning costs.
- (G) The owner or operator shall cooperate with the local fire department or district to develop an emergency response plan and shall cooperate with all local fire and rescue authorities to provide specialized training, if necessary (at the owner or operator's expense) to personnel who are to respond to emergencies on the site. The site and emergency plan shall be submitted to the local fire department or district whose jurisdiction is included in whole or in part within the SFES project area.
- (H) A storm water and groundwater management plan demonstrating best management practices, with erosion and sediment control provisions

Indemnification and Liability

- (A) The applicant, owner and/or operator of the solar farm energy system project shall defend, indemnify, and hold harmless the County of Clinton and its officials (elected and appointed), employees, departments, agents, and attorneys from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses, and liabilities whatsoever, including attorney's fees, without limitation, arising out of acts or omissions of the applicant, owner, and/or operator associated with the construction and/or operation of the SFES project.
- (B) The applicant, owner, and/or operator of the solar farm energy system project shall maintain a current general liability policy covering bodily injury and property damage with limits of at least two million dollars (\$2,000,000.00) per occurrence and four million dollars (\$4,000,000.00) in the aggregate. Evidence of liability coverage must be reported to the Clinton County Zoning Department on an annual basis, and any loss coverage must be reported within 3 working days of loss. Failure to maintain coverage shall be considered a cessation of operations pursuant to section below.

Decommissioning Plan

(A) The owner or operator of the SES shall completely decommission within twelve (12) months for any reason stated in this Section or if any of the following conditions ("decommissioning triggers") exist:

- i. The SES ceases to generate electricity for a continuous period of twelve (12) consecutive months;
- ii. The land lease ends, expires or is terminated;
- iii. The SES is damaged and will not be repaired or replaced.

(B) The Clinton County Zoning Administrator shall notify the applicant, owner, or operator to remove the system. This period may be extended by the Zoning Board of Appeals if the owner or operator provides evidence within 45 days that the failure to generate electricity is due to circumstances beyond the owner's or operator's reasonable control and has not been abandoned. Decommissioning shall include:

- i. The removal of all equipment, cables, wires, conduits, structures, fencing, and foundations to a depth of at least 48 inches below grade. All solid wastes and hazardous materials related to the construction, operation and maintenance of the SES shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
- ii. The removal of all graveled areas and access roads unless the owner of the leased real estate requests in writing that they are to remain in place.
- iii. Restoration of the land to a condition reasonably similar to its condition prior to the solar garden or solar farm development, including replacement of top soil removed or eroded.
- iv. Re-vegetation of any cleared and/or disturbed areas with warm season grasses and forbs that are native to the region, unless requested in writing by the owner of the real estate to not re-vegetate due to plans for agricultural planting.

(C) To ensure the full completion of decommissioning requirements, and/or to facilitate the mitigation and abatement of public nuisances or health hazards caused by debris or hazardous materials occurring in the event of partial or complete destruction by natural or man-made causes, the owner and/or operator shall obtain and deliver to the County of Clinton ("County") a performance bond or similar financial assurance, for removal of all components. ("Decommissioning Security)". Any such bond must be issued for a term of at least 5 years and must not be cancelable during that term. The plan shall state that in form and substance, reasonably satisfactory to the County securing the owner and/or operator obligation, Clinton County shall have access to the project and to the funds to affect or complete decommissioning if the applicant, owner, or operator fails to complete removal and decommissioning of the SFES strictly according to the terms of the decommissioning plan within 45 days of notice from the Clinton County Zoning Administrator or by such additional time granted by the Clinton County Zoning Administrator.

- i. The Decommissioning Security shall be equal to 110% of the estimated cost of decommissioning. The Decommissioning Security shall survive the bankruptcy or dissolution of the owner and/or operator or other termination of the owner and/or operator of the SES existence or its legal obligations. Once it is in place, the owner and/or operator shall maintain the Decommissioning Security, and cause the Decommissioning Security to be valid and enforceable until the secured decommissioning obligations are satisfied.
- ii. The applicant shall provide the Clinton County Zoning Administrator with a new estimate of the cost of decommissioning the SFES every 5 years, due on the anniversary of the Special Use being granted. Failure to provide a new estimate and/or acceptable financial plan estimate shall be considered a cessation of operations.
- iii. When any of the identified decommissioning triggers exist, if the owner and/or operator has not complied with its decommissioning and related obligations, the County shall be entitled to make a claim against the Decommissioning Security for its costs to decommission, net of any salvage value the County actually realizes.
- iv. Applicants and/or owners of SFES shall pay all costs associated with the remedy of any complaints deemed necessary and factual by the Zoning Administrator and/or Clinton County Board. SFES shall conform to all applicable industry standards, including those from the UL and Federal Aviation Administration (FAA) and, when applicable, all SFES shall conform to any applicable Air Installation Compatible Use Zone (AICUZ) study, and the requirements of any overlay district, including but not limited to the Airport Overlay (AO) District.
- v. Nothing herein shall prevent Clinton County from seeking such other legal or equitable remedies available to prevent or remedy any violations of this Section.”

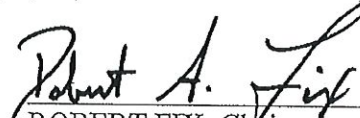
SECTION E: This Ordinance shall be effective immediately upon passage.

(Please complete this Section.)

COUNTY BOARD MEMBER	AYE	NAYE	ABSENT
Matt Cain	✓		
Robert Fix	—		

Steve Heiligenstein	✓		
Rafael Him	✓		
Lavern Holtgrave	✓		
Larry Johnson	✓		
Mike Kreke	✓		
Lyle Michael	✓		
Bob Netemeyer	✓		
Duane Nordike	✓		
Keith Nordike	✓		
James Rakers	✓		
Jim Sullivan	✓		
Craig Taylor	✓		
Bryan Wessel	✓		

ADOPTED, ORDAINED AND APPROVED this 20 day of August, 2018, by a roll call vote of the Corporate Authorities of the County of Clinton, Illinois.


 ROBERT FIX, Chairman
 Clinton County Board

ATTEST:


 Mary Rakers, Clinton County Clerk