

ORDINANCE NO. 783

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, BUILDING STANDARDS, DIVISION 2, CODES AND STANDARDS, TO ADD A NEW SECTION 14-82, SOLAR PANELS, FOR THE REGULATION OF SOLAR PANELS WITHIN THE CITY.

WHEREAS, The City of Hedwig Village, Texas (the "City") has a goal is to allow solar panels with certain guidelines, limitations, and regulations on installation for the protection of public health, safety, and welfare and neighboring property owners; and

WHEREAS, The City Council finds that the proposed regulations on solar panels are in the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS THAT:

Section 1. The recitals set forth above are found to be true and correct and are adopted as the findings of fact of the City.

Section 2. Chapter 14, Building and Building Regulations, Article III, Building Standards, Division 2, Codes and Standards, Section 14-82, Solar Panels, of the Code of Ordinances of the City of Hedwig Village, Texas is added to read as set out in Exhibit A, attached hereto. All other portions of Chapter 14 of the Code of Ordinances not specifically amended hereby remain in full for and effect.

Section 3. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

Section 4. If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

Section 5. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED, APPROVED and ADOPTED this, the 18th day of March, 2021.



Brian T. Muecke, Mayor
City of Hedwig Village, Texas

ATTEST:



Kelly Johnson, City Secretary
City of Hedwig Village, Texas

Exhibit A

Chapter 14, Buildings and Building Regulations

ARTICLE III. - BUILDING STANDARDS

DIVISION 2. - CODES AND STANDARDS

Sec. 14-82 – Solar panels

(a) *Definitions.*

- (1) *Solar energy system* means a system capable of collecting and converting solar radiation into heat or mechanical or electrical energy and transferring these forms of energy by a separate apparatus to storage or to a point of use, including, but not limited to, water heating, space heating or cooling, electric energy generation, or mechanical energy generation. The term "solar energy system" shall include solar thermal, photovoltaic, and passive solar systems.
- (2) *Solar panels* shall mean any structure utilized for the collection of solar radiation for a solar energy system.

(b) *Solar Panel Requirements.* Solar panels shall be installed, constructed, and placed in accordance with the following requirements:

- (1) Roof-mounted solar panels shall conform to the following requirements:
 - a. Solar panels shall be permitted on the roof of a building provided that the panels are not visible from the street facing elevations of the home or business; and
 - b. Solar panels shall have a top edge that is parallel to the roof ridge and shall conform to the slope of the roof; and
 - c. Solar panels shall not exceed the maximum height as permitted in the applicable zoning district; and
 - d. All roof mounted solar panels/modules shall comply with IFC 605.11.3.2.4 for required clearances.
- (2) Ground-mounted solar panels are prohibited.
- (3) Solar panels as building materials, such as roof shingles or tiles, windows, siding, or other architectural features integral to a building's design, and reasonably indistinguishable from traditional building materials may be installed on any roof or façade of the building. The eligibility of any solar panel under this section shall be within the discretion of the building official.

(c) *Exceptions.* This section shall not apply to small solar panels, as determined by the building official, used for outdoor lighting or similar use or to solar panels on City facilities in the public right-of-way, such as streetlights, traffic control devices, or similar City facilities.

Secs. 14-83—14-95. - Reserved....