

ORDINANCE NO. \_\_\_\_\_

JACKSON TOWNSHIP, CAMBRIA COUNTY

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING SECTIONS OF THE JACKSON TOWNSHIP ZONING ORDINANCE AS FOLLOWS: PROVIDING FOR SMALL SCALE WINDMILLS AS AN ACCESSORY USE IN THE RESIDENTIAL, AGRICULTURAL AND COMMERCIAL DISTRICTS AND PROVIDING SETBACKS AND OTHER REGULATIONS.**

**WHEREAS**, the Jackson Township Planning Commission has, in carrying out the provisions of the Jackson Township Zoning Ordinance, identified areas in the Zoning Ordinance requiring clarification or correction and other areas where rule could be loosened so as to better accomplish the purposes of the Ordinance; and

**WHEREAS**, after consultation with the Township Officials responsible for the administration of the Ordinance, the Jackson Township Planning Commission has identified the following Amendments to the Zoning Ordinance, which it requests be reviewed by the Cambria County Planning Commission and be made subject to public hearings and comment as provided for in the Municipalities Planning Code; and

**WHEREAS**, the Jackson Township Supervisors, hereby find the changes in the ordinance listed below to be consistent with the goals and objectives for community development as defined in the new Jackson Township Comprehensive Plan which is pending approval; and

**WHEREAS**, the Jackson Township Supervisors, after consultation with the Township Planning Commission and Cambria County Planning Commission and after having received the benefit of public comment on the same at a public meeting held the \_\_\_\_ day of \_\_\_\_\_ 2008, and a public hearing held on \_\_\_\_\_, 2008, have determined that certain sections of the Jackson Township Zoning Ordinance should be amended to provide for orderly development, protection of property values, and to provide for the common good and safety of all Township residents.

**NOW THEREFORE, Be It Ordained and Enacted** that the Jackson Township Zoning Ordinance is hereby amended to add the following section, as follows:

Section 412. Small Scale Wind Generators

- A. Small scale windmills for the purpose of serving residential or commercial buildings on site shall be permitted as an accessory use in the Agricultural, Residential and Commercial Districts.
- B. The structure employed shall be subject to site plan approval by the Jackson Township Planning Commission. The site plan shall be drawn to an appropriate scale and shall provide construction details and show the location of all existing public roads, existing

structures, utility line and all structures, facilities and power lines to be constructed on the site, as well as identifying adjoining property owners, and the location of any structures on adjoining properties within one hundred feet of the common property lines.

- C. Facilities, including but not limited to towers, shall be safe and neat construction to be approved by the Planning Commission and subject to any requirements of the Uniform Construction Code and manufacturer's recommendations.
- D. Towers shall be located at least 100 feet from all property lines. Other facilities must follow generally applicable setbacks within the particular zoning district.
- E. Towers shall be no more than 35 feet in height from the elevation of the ground at the base of the tower, before the placement of fill, to the top of the blade.
- F. No more than two towers shall be located upon a property or serve a single commercial or residential structure.
- G. The property owner must use at least two-thirds of the power generated by the windmills in his home or business located on site. The property owner receiving site plan approval shall annually provide a verified report of electricity generated and electricity sold from the windmills. Failure to provide an annual report within 60 days of the end of each calendar year shall result in the termination of the authorization to maintain the windmill and subject the property owner to an order for immediate removal of the tower.
- H. The property owner shall construct and maintain the windmill and tower in a safe a neat manner so as not to present a danger to neighbors or to present an unsightly appearance. The property owner receiving site plan approval shall annually provide a verified report of a qualified contractor as to the structural integrity of the tower and windmill assembly. Failure to provide an annual report within 60 days of the end of each calendar year shall result in the termination of the authorization to maintain the windmill and subject the property owner to an order for immediate removal of the tower.

**ENACTED AND ORDAINED** the \_\_\_\_ day of \_\_\_\_\_, 2008, effective in five days.

**JACKSON TOWNSHIP SUPERVISORS**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Supervisor

ATTEST:

\_\_\_\_\_  
Supervisor

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Secretary  
(Seal)

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