

BOROUGH OF SWARTHMORE
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE _____

AN ORDINANCE OF THE BOROUGH OF SWARTHMORE AMENDING THE BOROUGH OF SWARTHMORE ZONING CODE RELATING TO SOLAR ENERGY SYSTEMS

THE BOROUGH COUNCIL OF THE BOROUGH OF SWARTHMORE ENACTS AND ORDAINS AS FOLLOWS:

Section 1: Purpose

The purpose of this ordinance is to encourage the installation of alternative energy sources in the Borough of Swarthmore.

Section 2: Definitions

The following shall be added to Section 1240.05 of the Codified Ordinance of the Borough of Swarthmore:

“Ground mounted system” shall mean a solar energy system with panels that are secured to a rack or other structure that is not mounted on a principal or accessory building.

“Roof mounted system” shall mean a solar system that has panels mounted on the roof of a principal or accessory building.

“Solar Energy System” shall mean an energy system which converts solar energy to usable thermal, mechanical, chemical, or electrical energy to meet all or a significant part of a structure’s energy requirements.”

Section 3: Installation of Solar Energy Systems

1. Solar Energy Systems shall be added as an accessory use permitted by right in the RA, RB, RC, AR, and AL Zoning Districts if any percentage of the energy is used for one or more of the principal uses on the same lot, subject to the following conditions:

a. Roof-mounted systems:

- (i) Must be mounted on a principal building or an accessory building.
- (ii) Solar energy system equipment is not considered in determining roof or building height maximums; however, the highest point of the system may not exceed the height limit of the Zoning District in which the system is installed by more than six (6) feet above the rooftop to which it is attached.

b. Ground-mounted systems

- (i) System may be installed no closer than three (3) feet to a side or rear property line.

- (ii) System must be dedicated to supply energy for the primary residence.
 - (iii) System may not be installed in front of the front building line.
2. Ground mounted solar energy systems are not included in any lot coverage and/or hardscape calculations.
 3. All solar energy systems are exempt from screening requirements otherwise found in the Codified Ordinances of the Borough of Swarthmore.
 4. All solar energy systems require a solar energy permit prior to the construction of the system.

Section 4: Severability.

The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

Section 5: Repealer.

All resolutions or ordinances, or parts thereof, which are inconsistent herewith are hereby repealed to the extent of the inconsistency.

Section 6: Adoption.

This Ordinance shall take effect and be in force from and after its enactment as required by law.

ENACTED AND ORDAINED THIS 13th DAY OF September, 2021.

SWARTHMORE BOROUGH COUNCIL

 MARY J. WALK
 COUNCIL PRESIDENT

APPROVED THIS 13th DAY OF
 SEPTEMBER, 2021

ATTESTED THIS 13th DAY OF
 SEPTEMBER, 2021

 MARTY SPIEGEL
 MAYOR

 JANE C. BILLINGS
 BOROUGH MANAGER/SECRETARY