



**VILLAGE OF PINGREE GROVE**

**ORDINANCE NO. 2010-15**

---

**AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON  
ALTERNATIVE ENERGY PROJECTS  
IN THE VILLAGE OF PINGREE GROVE,  
KANE COUNTY, ILLINOIS**

---

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
THIS 19 DAY OF July, 2010.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF PINGREE GROVE, KANE COUNTY, ILLINOIS  
ILLINOIS, THIS 20 DAY OF July, 2010.

ORDINANCE NO. 2010-15

**AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON  
ALTERNATIVE ENERGY PROJECTS  
IN THE VILLAGE OF PINGREE GROVE,  
KANE COUNTY, ILLINOIS**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois, as follows;

**WHEREAS**, the Village of Pingree Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

**WHEREAS**, the Village strives to be at the leading edge of environmental technology, and to promote the development, installation and refinement of responsible, sustainable development practices and alternative energy technologies; and,

**WHEREAS**, the Board also is desirous of protecting the health, safety, welfare and morals of the residents of the Village; and,

**WHEREAS**, the Board has determined that it wishes to allow alternative energy programs in the Village, including the installation of windmills, solar panels, and similar technologies, but only after completing a detailed study of the risks and potential hazards involved, and only after imposing appropriate building code and other similar regulations to ensure that such improvements are constructed in a safe, sustainable, and aesthetically pleasing fashion;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois, as follows:

**SECTION ONE: TEMPORARY MORATORIUM**

It is hereby ordained that there shall be a temporary moratorium imposed on the construction, assembly, installation or use of alternative energy technologies within the Village of Pingree Grove. This moratorium shall remain in place until further action of the Board. Under the terms of this moratorium, it shall be unlawful to permit, assemble, install, construct or use any of the following items:

1. Windmills or wind generation units, or other devices of any kind that either converts wind energy into useable energy such as mechanical energy or electricity (directly or indirectly) or could be equipped to convert wind energy into useable energy such as electricity (directly or indirectly) and includes but is not limited to, traditional

- windmills, wind turbines, wind vanes, propellers or sails, wind farms, and wind energy conversion systems.
2. Solar panels, whether such panels are used to generate electricity or to warm or heat water or any other substance or medium, when such panels are greater than two square inches in size or are temporarily or permanently mounted to or within a building or other structure, are free-standing, or are temporarily or permanently attached to a fixture on a building or structure.
  3. Any other device or technology that captures, contains, diverts or converts wind, water or solar power into mechanical or electrical energy.

Until rescinded, this moratorium shall be deemed to supersede any contrary provision of any Village Code, including but not limited to the Village Building Code and Electrical Code. Notwithstanding the foregoing, this moratorium shall not restrict the use of solar panels smaller than two square inches that are utilized to power discrete, individual items of personal property (e.g. calculators).

## **SECTION TWO: STUDY AUTHORIZED**

Village staff is hereby directed to investigate the issue of alternative energy installations in consideration of the possible adoption of ordinances reasonably regulating such installations in the interest of the public health, safety and welfare, during this temporary moratorium.

## **SECTION THREE: GENERAL PROVISIONS**

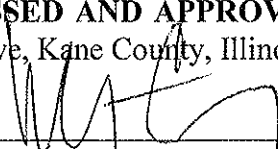
REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

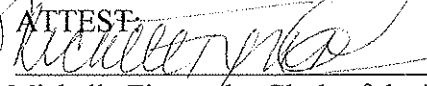
SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

CODIFICATION: The Village of Pingree Grove is presently undergoing codification of its ordinances into a unified Code Book. To that end, the chapter numbers identified above have been selected based upon the Village's estimation of what the actual chapter number shall be. That said, the Village Clerk shall be expressly authorized to change or amend the identifying chapter numbers as shall be necessary to conform such numbering to the codification of the Village's Ordinances, provided that the text of the ordinances (other than the numbering) shall not be changed. This ordinance shall remain in full force and effect without regard to the renumbering or relabeling of the paragraphs.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Pingree Grove, Kane County, Illinois this 19 day of July, 2010.

  
\_\_\_\_\_  
Wyman Carey,  
President of the Board of Trustees of the Village of Pingree Grove

**ATTEST**  
  
\_\_\_\_\_  
Michelle Figuerola, Clerk of the Village of Pingree Grove

	Aye	Nay	Absent	Abstain
Trustee Steve Wiedmeyer	_____	<u>X</u>	_____	_____
Trustee Stephanie Mette	<u>X</u>	_____	_____	_____
Trustee Greg Marston	<u>X</u>	_____	_____	_____
Trustee Joshua Cossiboon	<u>X</u>	_____	_____	_____
Trustee Larry Gillie	<u>X</u>	_____	_____	_____
Trustee Cathie Vavra	<u>X</u>	_____	_____	_____
Village President Wyman Carey	_____	_____	_____	_____