

**BOROUGH OF ALLENDALE  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**ORDINANCE 15-11**

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE  
BOROUGH OF ALLENDALE, ZONING, CHAPTER 270**

**BE IT ORDAINED** by the Borough Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Borough of Allendale, Chapter 270 entitled "Zoning".

**Section 1. Definitions.**

**ENERGY** The ability to do work.

**PHOTOVOLTAIC** Refers to technology which uses a device, typically a solar panel, to convert light into electricity.

**SOLAR ARRAY** A group of multiple solar panels connected together to provide a single electrical output.

**SOLAR ENERGY** Energy from the sun that is converted into thermal or electrical energy.

**SOLAR ENERGY SYSTEM** All associated equipment which converts solar energy into usable electrical energy, heats water, or produces hot air or other similar function.

**SOLAR PANELS** A structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system.

**Section 2. Purpose.**

A. The purpose of this ordinance is to ensure a solar energy system as an accessory use for the principal power use and will be to provide power for the principal use of the property whereon said system is to be located and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time from a solar energy system designed to meet the energy needs of the principal use. For the purposes of this subsection, the sale of excess power shall be limited so that in no event is an energy system generating more energy for sale than what is otherwise necessary to power the principal use on the property.

B. Solar energy systems shall only be permitted on rooftops only as an accessory use on the same lot as the principal use. All energy systems require approval from the Allendale Construction Code Office and Allendale Fire Official prior to installation. Applications for an energy system shall include information demonstrating compliance with the provisions of this subsection.

C. Applicability of section. This section shall apply to systems intended for the provision of the electrical or mechanical power needs of the owner/operator of the system; also, such a system shall be for one main building and its accessory buildings and uses only.

**Section 3. A. Permit Requirements.**

(i) Before any solar panel may be installed, plans for such installation shall be submitted to, and approved by, the Allendale Construction Code Office and Allendale Fire Official. No solar panel shall be installed without a permit issued by the Borough.

(ii) The design of the solar energy system shall conform to all applicable industry standards including the New Jersey Uniform Construction Code, the International Building Code, the National Electric Code and the Allendale Building Code and Zoning Regulations. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certified organization and any such design shall be certified by an engineer registered in the State of New Jersey, certifying that the structural design of the solar energy system complies with all of the standards set forth for safety and stability in all applicable codes then in effect in New Jersey and all sections referred to in this Ordinance. The manufacturer specifications shall be submitted as part of the application.

(iii) When the requirements imposed by any applicable Code are either in conflict, more stringent or impose additional design standards than the requirements contained within the Allendale Zoning Ordinance, then the requirements of the other applicable Code shall govern and shall supersede requirements contained in the Allendale Zoning Ordinance.

### **Section 3. Installation Requirements.**

(i) Solar panels shall be permitted as a rooftop installation in any zoning district. Roof-mounted solar panels shall be mounted parallel to the roof angle and, if mounted on a sloping roof, shall not exceed a height of 15 inches above the ridge of the roof. No such mounted panel shall exceed the maximum permitted height of the structure.

(ii) A roof-mounted solar panel that is mounted on a flat roof may be angled to achieve maximum sun exposure but shall not exceed 8 feet above the roof. No such mounted panel shall exceed the maximum permitted height of the structure.

(iii) All roof mounted solar panel installations shall be designed and constructed to provide designated pathways. Every roof pathway shall comply with the standards for same as detailed in the latest edition of the NJ International Building Code.

(iv) Roof mounted solar panels must be installed in such locations so as to provide for roof access points to designated walkways in areas that do not require the placement of ground ladders over openings such as windows or doors, and located at strong points of building construction that are not in conflict with overhead obstructions such as tree limbs, wires or signs. Roof access pathways shall be located at structurally strong locations on the building capable of

supporting the live load of fire fighters accessing the roof.

(v) All roof-mounted panels shall be installed at least 3 feet from the roof edges and provide access pathways depending on the style of roof construction pursuant to the most recent edition of the New Jersey International Building Code.

(vi) Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties, businesses, residential homes or roadways.

(vii) Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the ridge, hip or valley as directly as possible to an outside wall to reduce tripping hazards and maximize ventilation opportunities. Conduit runs between sub arrays and to DC combiner boxes shall be installed in a manner that minimizes the total amount of conduit on the roof.

(viii) An external disconnect switch, readily accessible by emergency responders, and which is clearly identifiable and unobstructed, shall be provided to disconnect power at the solar panel, and shall be noted on the application submitted to the Allendale Construction Code Office.

(ix) Marking is required on all interior and exterior direct conduit, enclosures, raceway, enclosures, cable assemblies, junction boxes, combiner boxes and disconnects to alert emergency first responders to avoid cutting them.

(x) Marking is required on all interior and exterior direct conduit, enclosures, raceway, enclosures and cable assemblies every 10 feet, within 1 foot of turns and bends and within 1 foot above and below penetrations of roof/ceiling assemblies, walls or barriers.

(xi) The materials used for marking shall be reflective, weather resistant and suitable for the environment. Marking shall have all letters capitalized with a minimum letter height 3/8 inch tall. Letters shall be white on a red background.

(xii) Signage identifying the use of solar panels shall be posted at an easily visible location. The signage shall clearly state the name, address and telephone number of the vendor authorized to deactivate the solar panel system in the case of an emergency. In addition, the marking shall contain the words "WARNING: PHOTOVOLTAIC POWER SOURCE." Marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.

(xiii) In addition to the required signage, property owners shall provide the Allendale

Fire Official with a map illustrating the location of the disconnect switch, as well as any information regarding the vendor authorized to deactivate the solar panel. The Allendale Fire Official is herein authorized to request additional information on the map or in a format specified by the Allendale Fire Official.

(xiv) A solar energy system erected above off-street parking area shall be screened from the view of public streets and residential zones by vegetation, fencing or walls and/or topographic features. Notwithstanding other provisions within this section, a solar energy system erected above a parking area shall be permitted a maximum height of twenty-two (22) feet above the elevation of the parking pavement. Mounting equipment necessary for a solar energy system to be installed above parking infrastructure is permitted to encroach the minimum distance necessary into the depth and/or width of a parking space without creating a variance condition relative to the dimension or size of a parking space.

(xv) Solar energy systems erected over off-street parking areas or pedestrian walkways shall be equipped with snow and ice cleats.

(xvi) When installed as an accessory use on a lot with a principal use or structure, solar energy systems shall be designed and sized to provide energy for the principal use of the property whereon the solar energy system is installed and shall not be for the generation of power for commercial purposes. This provision shall not be interpreted to prohibit the sale of excess power generated from time to time from an accessory use solar energy system designed and sized to meet the energy needs of the principal use located on the same property whereon the solar energy system is installed. This provision is not applicable to solar energy systems installed as the principal use of the property. In these cases there is no other principal use on the property that could utilize the energy generated by the solar energy system.

#### **Section 4**

All Ordinances of the Borough of Allendale which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

#### **Section 5**

The terms and provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision of this Ordinance be held unconstitutional or invalid, such decision shall not

affect the validity of this Ordinance as a whole, or any other part hereof.

**Section 6**

This Ordinance shall take effect upon final passage, approval and publication as required by law.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        | ✓      | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  | ✓      |        | ✓   |     |        |         |
| Sasso      |        |        | ✓   |     |        |         |
| Strauch    |        |        |     |     | ✓      |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on August 27, 2015

  
\_\_\_\_\_  
Mayor Elizabeth White

  
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Anne Dodd, RMC  
Municipal Clerk