

**CITY OF HIGHLAND HAVEN**  
**ORDINANCE NO 114**  
**September 21, 2021**

**AN ORDINANCE OF THE CITY OF HIGHLAND HAVEN, TEXAS**  
**ON THE ADOPTION OF SOLAR PANELS OR SOLAR ENERGY**  
**FACILITIES**

**WHEREAS**, the City of Highland Haven, Texas (the “City”), located in Burnet County, Texas, hereby finds and determines that it will adopt an Ordinance regarding Solar Panels or Solar Energy Facilities, to-wit:

**WHEREAS**, the City has an enforcement policy established in City of Highland Haven Ordinance #43;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF HIGHLAND HAVEN, TEXAS THAT:**

**SECTION 1.** Solar Energy Systems or Solar Energy Facilities constructed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Section;

**SECTION 2.** Solar Energy Systems or Solar Energy Facilities constructed after the effective date of this Ordinance shall be required to meet the requirements of this Section;

**SECTION 3.** Any upgrades, modification, or structural change that materially alters the size or placement of an existing solar energy system or facility shall comply with the provisions of this ordinance:

1. **Photovoltaic (PV) System:** A solar energy system that produces electricity by use of semiconductor devices, called photovoltaic cells, which generate electricity whenever light strikes them.
2. **Solar Energy System, Building Integrated:** A subset of building mounted systems, building integrated systems are photovoltaic materials that are built into the structure rather than installed onto the structure.
3. **Solar Energy System, Building Mounted:** A solar energy system which may include solar thermal panels, hot water system panels, and photovoltaic panels, which are mounted to a building or structure to provide energy primarily for on-site use. Building mounted solar panels may be flush mounted to a building roof façade in a manner that the panel cannot be angled or raised, or have the modules fixed to a type of frames which can be tilted or automatically adjusted at an angle for sun exposure.

4. **Photovoltaic Modules/Shingles:** A solar collection systems in the form of solar cells designed to look like conventional asphalt shingles and can be installed in a manner not to cause glare of sunlight to reflect onto adjacent properties.

5. **Building Mounted System shall be subject to the following:**

- a. No solar energy system shall be mounted or affixed to any freestanding wall or fence.
- b. A building mounted system shall not extend beyond the edge of the roof.
- c. Solar panels installed on a building with a sloped roof shall not project vertically more than 30 inches above the roof surface, ridge line or highest point of the roof.
- d. Solar panels installed on a building with a flat roof shall not extend more than 8 feet above the highest point of the roofline.

6. No Solar Energy System shall be installed until evidence has been presented to the City that the applicable electric utility provider has been informed and issued a form to the City.

7. Solar panel systems shall be installed in conformance with all applicable City Codes and Ordinances, including the current International Fire Code and National Electric Code; Article 690 entitled (Solar Photovoltaic Systems).

8. No Solar Energy System shall be ground-mounted in the City of Highland Haven, Tx.

9. Maintenance Required: All Solar Energy Systems shall be kept in good repair and free from rust.

10. Abandonment System: Solar Energy System shall be deemed abandoned if the use as a Solar Energy Conversion System is discontinued. All components of an abandoned or unused Solar Energy System shall be removed within 12 months of the cessation of operations.

**SECTION 4.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 5.** This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

**PASSED AND ADOPTED,** this the 21<sup>st</sup> day of September, 2021.

ATTEST:

CITY OF HIGHLAND HAVEN, TEXAS

*Jeffery Lederer*

Jeffery Lederer, City Secretary

*Olan Kelley*

Olan Kelley, Mayor