ORDINANCE NO. 10-2018/19

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance for Text Amendments to the Florence County Code of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. — CONDITIONAL USE REGULATIONS, Sec. 30-115. — Aviation Notification, Levels 2 & 3 Solar Energy System Requirements, c. Decommissioning; And Other Matters Related Thereto.]

WHEREAS:

1. The intent of this text amendment is to ensure without ambiguity the responsibility of the landowner or responsible party/parties that a signed decommissioning plan must be submitted at the time of application for a solar energy permit; and

2. While it is stated in another section of the Solar Energy System Ordinance, this is an effort to make the owner surely aware of his/her responsibility prior to development. Staff has been directed to ensure that it is clearly noted in the ordinance.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Code of Ordinances Chapter 30, ZONING ORDINANCE, ARTICLE III. — CONDITIONAL USE REGULATIONS, Sec. 30-115. — Aviation Notification, Levels 2 & 3 Solar Energy System Requirements Shall Be Amended To Read As Follows:

   c. Decommissioning.

      i. A decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) addressing the following shall be submitted with permit application. The decommissioning plan shall clearly state, without ambiguity, the owner's responsibility for decommissioning in accordance with Sec. 30-114 (6).

      ii. Before final electrical inspection, provide evidence decommissioning plan was recorded with the Register of Deed.

2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.

3. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

Kent C. Caudle, Chairman

COUNCIL VOTE: Approved

OPPOSED: 0

ABSENT: 0

Approved as to Form and Content

D. Malloy McEachin, Jr., County Attorney