

THE CITY OF PANA
CHRISTIAN COUNTY, ILLINOIS

ORDINANCE NUMBER _____

AN ORDINANCE REGULATING COMMERCIAL SOLAR ENERGY
FACILITIES LOCATED WITHIN 1.5 MILES OF THE
CORPORATE LIMITS OF PANA

NATHAN PASTOR, Mayor
KIM TOBERMAN, City Clerk

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City Council

Published in pamphlet form by authority of the Mayor and Council of the City of Pana on
_____, 2024.

Ancel, Glink, P.C. – 202 North Prospect, Suite 203 - Bloomington, Illinois 61704

ORDINANCE NO. _____

AN ORDINANCE REGULATING COMMERCIAL SOLAR ENERGY
FACILITIES LOCATED WITHIN 1.5 MILES OF THE
CORPORATE LIMITS OF PANA

WHEREAS, the City of Pana is an Illinois municipal corporation operating pursuant to authority granted to it by the State of Illinois; and

WHEREAS, the City of Pana has authority pursuant to the Illinois Municipal Code to regulate the subdivision of property located within 1.5 miles of the corporate limits; and

WHEREAS, the leasing of a portion of a larger tract of property on a long-term basis is substantially equivalent to the subdivision of such property; and

WHEREAS, the use, occupancy, development, and improvement of leased property creates conditions similar to the subdivision of such property for development; and

WHEREAS, the City of Pana has authority pursuant to the Illinois Municipal Code to identify, declare and abate public nuisances; and

WHEREAS, the use, occupancy, development and improvement of leased property without providing for public infrastructure such as streets, utilities, curb cuts, sidewalks, streetlights, parks, playgrounds, school grounds, storm water drainage, water supply, sanitary sewerage collection and treatment, and other matters of public concern may result in a public nuisance affecting residents within the corporate limits of Pana; and

WHEREAS, it is in the best interest of health safety and welfare of the citizens of Pana to declare the improvement of property for a Commercial Solar Energy Facility pursuant to a long-term lease without platting or subdividing such property located outside of the corporate limits of Pana but within 1.5 miles of the corporate limits to be a public nuisance.

NOW THEREFORE, be it ordained by the city council for the city of Pana, Christian and Shelby Counties, Illinois as follows:

Section 1. The above Recitals are incorporated herein as if fully set forth.

Section 2. The use, occupancy, development and improvement of leased property located within 1.5 miles of the corporate limits of the City of Pana for a Commercial Solar Energy Facility without providing for public infrastructure such as streets, utilities, curb cuts, sidewalks, streetlights, parks, playgrounds, school grounds, storm water drainage, water supply, sanitary sewerage collection and treatment, and other matters of public concern is a public nuisance affecting residents within the corporate limits of Pana.

Section 3. No person shall use, occupancy, develop or improve leased property located within 1.5 miles of the corporate limits of the City of Pana for a Commercial Solar Energy Facility. The long-term lease of property being equivalent to the sale, division and platting of separate parcels of property.

Section 4. Any person owning, operating, developing, installing or maintaining a Commercial Solar Energy Facility in violation of this ordinance shall, upon conviction be fined up to \$750 for such violation. Each day a violation continues shall be considered a separate offense and be subject to a fine of up to \$750 per day.

Section 5. As used herein the term Commercial Solar Energy Facility means a commercial solar energy system as defined in Section 5-12020 of the Counties Code (55 ILCS 5/512020).

Section 6. **Publication.** The City Clerk be and she is hereby authorized and directed to publish this Ordinance in pamphlet form as provided by law.

Section 7. Severability. In the event any part of this Ordinance shall be determined to be invalid by a Court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 8. Effective Date. This Ordinance shall be in full force and effect ten (10) days following its publication in pamphlet form as provided by law.

PASSED this ____ day of _____, 2024 by the City Council for the City of
Pana.

	YES	NO	ABSENT	PRESENT
Schneider				
Eddy				
Scott				
Garrett				
Christer				
Stephens				
Beeson				
Smith				
Pastor* (to the extent mayoral vote may be necessary)				

TOTAL:

YEAS:

NAYS:

ABSENT:

APPROVED:

Mayor

Date: _____

ATTEST:

City Clerk
4867-4170-4116, v. 1

Solar Location

