

CUMBERLAND TOWNSHIP  
GREENE COUNTY, PENNSYLVANIA

AN ORDINANCE OF CUMBERLAND TOWNSHIP, GREENE COUNTY, PENNSYLVANIA, AMENDING THE CUMBERLAND TOWNSHIP ZONING ORDINANCE AND ZONING MAP 1-2018 PART 2 SECTION 201 (TERMINOLOGY) AND PART 3 (ESTABLISHMENT AND REGULATION OF DISTRICTS), AND PART 4 (GENERAL REGULATIONS), ESTABLISHING REQUIREMENTS AND REGULATIONS FOR THE INSTALLATION, OPERATION AND DECOMMISSIONING OF SOLAR ENERGY SYSTEMS AS ACCESSORY USES AND PRINCIPLE USES

ORDINANCE NO. 3-2024

**Section 1 – Introduction**

**WHEREAS**, Cumberland Township is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania and,

**WHEREAS**, Cumberland Township held a public meeting on the zoning update on September 12<sup>th</sup>, 2024 and again on October 24<sup>th</sup>, 2024 and presented the updated zoning ordinance to Township Supervisors on November 4<sup>th</sup>, 2024; and,

**WHEREAS**, Cumberland Township sent the proposed zoning ordinance update to the Greene County Planning Commission for review and comment on July 29<sup>th</sup>, 2024; and,

**WHEREAS**, on September 12<sup>th</sup>, 2024, the Township Supervisors held a public hearing, pursuant to public notice, concerning the proposed zoning ordinance update and no comments were received; and,

**WHEREAS**, The Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning to regulate the use of property and the conservation of energy through access to and use of renewable resources; and

**WHEREAS**, Cumberland Township, Greene County, Pennsylvania seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Zoning Ordinance for access to and use of solar energy systems; and

**WHEREAS**, Cumberland Township, Greene County, Pennsylvania recognizes the importance of providing energy and power to the residents utilizing alternative energy systems, yet the Township seeks to maintain for future generations the agricultural and rural nature of the community as identified in the Agricultural District purpose of the Cumberland Township Zoning Ordinance; and

**WHEREAS**, the purpose of this amendment to the Zoning Ordinance is to set forth requirements, regulations for the installation, operation and decommissioning for solar energy systems;

**IT IS HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of Cumberland Township, Greene County, Pennsylvania, as follows:

**Section 2 – Definitions** (The following language and definitions are to be incorporated into Part 2 - Section 201, of the Cumberland Township Zoning Ordinance 1-2018.)

**ACCESSORY SOLAR ENERGY SYSTEM (ASES):** An area of land or other area used for a solar collection system used to capture solar energy, convert it into electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground or roof mounted solar array or modules, or solar related equipment and is intended to primarily reduce on-site consumption of the utility power or fuels.

**BATTERY ENERGY STORAGE SYSTEM:** devices that enable energy from renewables, like solar and wind, to be stored and then released when the power is needed most

**CONDITIONAL USE:** A conditional use is essentially the same type of relief as a special exception, in that the use is permitted subject to certain criteria and conditions. The only distinguishing feature of a conditional use application is that it is decided by the municipality’s governing body, not the zoning hearing board.

**ENVIRONMENTALLY STABLE:** The proper placing, grading, construction, reinforcing, lining, and covering of soil, rock, or earth to ensure their resistance to erosion, sliding or other movement.

**GLARE:** The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**INTERCONNECTED SYSTEMS:** Two or more arrays located on one (1) property of land that is mutually connected and is not served by a separate meter.

**PRINCIPAL SOLAR ENERGY SYSTEM (PSES):** An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

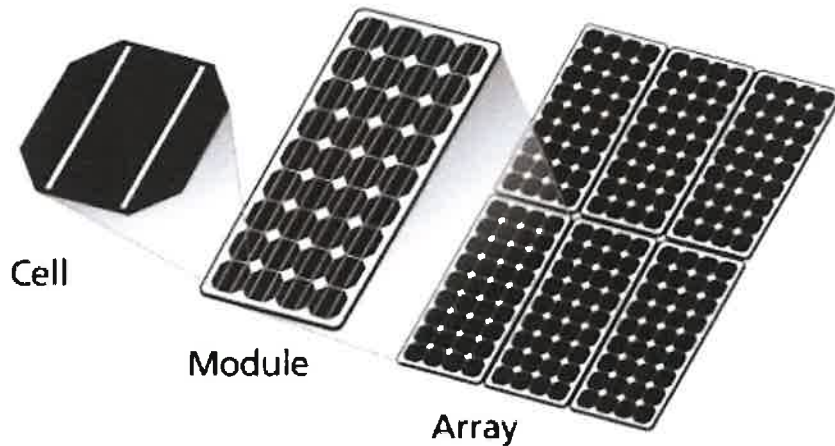
**SOLAR EASEMENT:** A right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

**SOLAR ENERGY:** Radiant energy (direct, diffuse and/or reflective) received from the sun.

**SOLAR GRAZING:** The practice of grazing livestock on solar farms. Sheep are the most common solar grazing animals, as they are the best-suited species. For the safety of low-mount solar arrays, goats, cows, pigs, and horses are not recommended.

**SOLAR ENERGY SYSTEM:** A solar photovoltaic cell, module, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat. It is the intent of this definition to replace the definition of “Active Solar Energy System” in the Zoning Ordinance dated April, 2018.

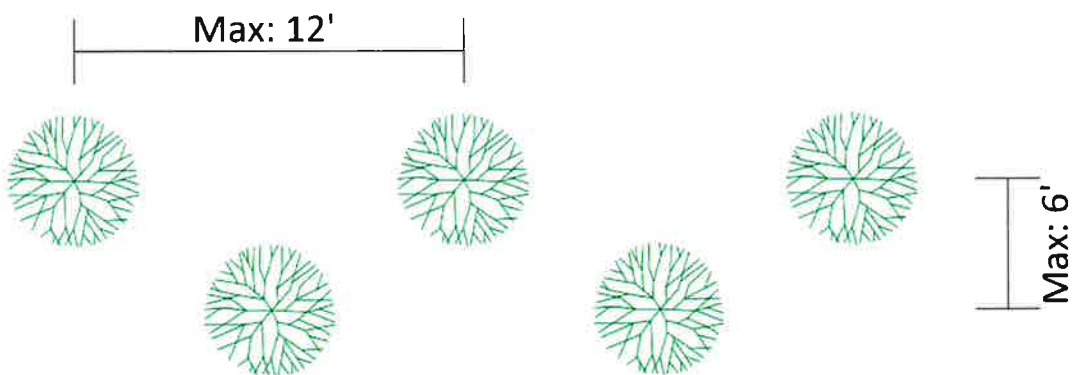
- 1. **SOLAR ARRAY:** A grouping of multiple solar modules with the purpose of harvesting solar energy.
- 2. **SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.
- 3. **SOLAR MODULE:** A grouping of solar cells with the purpose of harvesting solar energy.



**SPECIAL EXCEPTION:** The term “special exception” is something of a misnomer because it is not an exception to a zoning ordinance’s requirements. Instead, a use “by special exception” is a use which is permitted subject to the applicant establishing that the use will comply with certain objective criteria set out in the zoning ordinance for that particular use. A special exception application is decided by the municipality’s zoning hearing board after one or more hearings.

**VISUAL VEGETATED SCREEN:** The planting of evergreen trees to serve as a visual screen to obstruct the view of a perceived unsightly view and improving the existing aesthetics of the current community.

**VISUAL VEGETATED SCREEN SPACING:**



## Section 3 – Establishment and Designation of Districts

(The following language is to be incorporated into Part 3 - Section 304.2, Section 304.4, Section

305.2, Section 306.2, Section 307.2, Section 308.2, Section 308.4, Section 309.1.5, Section 309.2, Section 309.4 and Section 310.2 of the Cumberland Township Zoning Ordinance 1-2018.)

**304.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

**304.4 SPECIAL EXCEPTIONS:**

- Principal Solar Energy Systems

**305.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

**306.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

**307.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

**308.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

**308.4 SPECIAL EXCEPTIONS:**

- Principal Solar Energy Systems

**309.1.5 CONDITIONAL USE:**

- Principal Solar Energy Systems

**309.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

**310.2 PERMITTED BY RIGHT:**

- Accessory Solar Energy Systems

## **Section 4 – General Regulations** (The following language is to be added as Part 4 - Section 405 of the Cumberland Township Zoning Ordinance 1-2018.)

### **Section 405 SOLAR ENERGY SYSTEMS (All Solar Energy Systems regardless of size of rating is required to have a building permit issued by the Cumberland Township Engineer)**

#### **Section 405.1 Exemptions**

- A. All roof mounted ASES having maximum power rating at or under 15kW; or
- B. All roof mounted ASES having an aggregate collection area or focusing area (total square footage of all cells modules and arrays) of less than twelve hundred square feet (1,200 sq. ft.); or
- C. ASES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing ASES, whether or not existing prior to the effective date of this Section that materially alters the ASES, shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

#### **Section 405.2 All Accessory Solar Energy Systems (ASES)**

- A. The ASES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the Municipality's Building Code, and with all applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- B. All certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by Cumberland Township, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- C. Upon completion of installation, the ASES shall be maintained in good working order in accordance with standards of the Cumberland Township codes under which the ASES

was constructed. Failure of the property owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by Cumberland Township in accordance with applicable ordinances.

- D. All on-site utility, transmission lines, and plumbing shall be placed underground to the extent feasible.
- E. The owner of an ASES shall provide Cumberland Township written confirmation that the public utility company to which the ASES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.
- F. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
- G. All ASES shall require a building permit issued by the Cumberland Township Engineer.
- H. All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
  - 1. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation. All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
- I. Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.
  - 1. If required, an ASES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).
- J. Prior to the issuance of a zoning permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself: (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.

### **Section 405.3 Wall and Roof Mounted (ASES)**

- A. A roof mounted or wall mounted ASES may be located on a principal or accessory building.
- B. ASES mounted on roofs or walls of any building shall be subject to the maximum height regulations specified for principal and accessory buildings within each of the underlying Zoning Districts.
- C. Wall mounted ASES shall comply with the setbacks for principal and accessory structures in the underlying zoning districts.
- D. Solar panels shall not extend beyond any portion of the roof edge.

### **Section 405.4 Ground Mounted (ASES)**

- A. The minimum yard setbacks from side and rear property lines shall be equivalent to the setback set in the zoning district.
- B. A ground mounted ASES shall not be located in the required front yard.
  - 1. The Township may authorize the installation of a ground mounted ASES in front of the principal building, outside the required front yard, if the applicant demonstrates that, due to solar access limitations, no location exists on the property other than the front yard where the solar panel can perform effectively through the approval of a special exception by the Zoning Hearing Board.
- C. Ground mounted ASES shall not exceed fifteen feet (15') in height above the ground elevation from the highest point of the system surrounding the systems.
- D. Visual Vegetated Screens shall be a minimum of four feet (4') high when planted and shall be spaced in a manner that will reduce or obstruct the view. (See Definition of Visual Vegetated Screen Spacing). In lieu of plant or shrub screen, a privacy fence meeting the requirements of the Cumberland Township Zoning Ordinance may be used.



- E. The total surface area of the arrays of ground mounted ASES on the property shall not exceed more than twenty-five percent (25%) of the lot area.
- F. All determination of pervious and impervious coverage for storm water management purposes will be managed by the Greene County Planning Commission and the existing Subdivision and Land Development Ordinance unless a local storm water management ordinance is adopted by Cumberland Township for residential development.
- G. Ground mounted ASES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede storm water runoff from collecting in a construed storm water conveyance system.
- H. If a ground mounted ASES is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and re-seeded within 12 months of the disturbance.
- I. Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.

**Section 405.5 All Principal Solar Energy Systems (PSES)**

- A. The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the Municipality's Building Code, and with all applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- B. All certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by Cumberland Township, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- C. The owner of the PSES shall maintain a general liability policy covering bodily injury and property damage with limits of at least \$3 million per occurrence and \$5 million in the aggregate. Certificates shall be provided to the Township on an annual basis.

D. The Applicant shall include a construction transportation plan that shows all roadways that will be utilized to access the site, which shall be forwarded to the Township for review and approval. The plan shall address conditions for repair or replacement if damage to municipal roads occurs during construction activities. The plan shall require the applicant and contractors to enter into a road maintenance agreement as required by other energy operators currently operation withing the Township. Traffic control is required to ensure resident safety and to allow continued flow of traffic particularly during any construction activities.

E. Soils Testing:

1. Pre-construction baseline testing of the soil and water must be conducted to establish levels of heavy metal, plastics, other harmful chemicals and runoff silt.
2. Annual testing will be conducted by the Applicant to verify no increase in levels. The Township shall be provided copies of receipt of the same.
3. Testing will be done by an independent testing company at the expense of the facility owner by a company approved by the Township or agreed upon by both parties.
4. Increase in toxicity or silt must be remediated within 3 months or the Township may revoke the operation permit and require cessation of power generation until remediated.
5. Upon completion of decommissioning testing shall be repeated on an annual basis at the cost of the Applicant to ensure no remaining contaminants, which shall be remediated and retested until removed completely.

F. Upon completion of installation, the PSES shall be maintained in good working order in accordance with standards of the Cumberland Township codes under which the PSES was constructed. Failure of the property owner to maintain the PSES in good working order is grounds for appropriate enforcement actions by Cumberland Township in accordance with applicable ordinances.

G. A pre-fire plan is to be submitted to inform the Fire Company and other emergency responders regarding the special features to safely address potential emergency situations which are unique to PSES systems.

H. All on-site utility transmission lines and plumbing shall be placed underground to the greatest extent feasible.

- I. The owner of a PSES shall provide the Municipality written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. The owner shall provide a copy of the final inspection report or other final approval from the utility company to the Municipality prior to the issuance of a certificate of use and occupancy for the PSES.
- J. No portion of the PSES shall contain or be used to display advertising. The manufacturing name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations.
- K. All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures, roadways or beyond the boundaries of the land upon which it is located.
  - 1. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
  - 2. The Municipality may, in its sole and absolute determination, require applicant to provide the Municipality with a glare report/study. The said report/study may be required at the time of application or any time thereafter. The said report/study shall be subject to review and approval by the Municipality. The cost of the review and approval shall be paid by applicant or owner.
- L. A noise study will be performed and included in the application. The noise study will be performed by an independent noise study expert and paid for by the applicant. Noise from a PSES shall not exceed the requirements layed out in the Noise Ordinance of Cumberland Township 1-2014.
- M. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
- N. For Emergency purposes, the PSES owner and/or operator shall maintain a phone number and address of a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number, address and name to the Municipality, the same to be updated when changed. The PSES owner

and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints no later than 3 days after the complaint was filed.

- O. PSES owners shall properly maintain all panels, structures and equipment and shall repair or replace any damaged or visibly degraded components. Components shall be replaced in kind, or with equivalent parts or materials, consistent with the original design and manufacturer's specifications and shall be completed within sixty (60) days of the mailing of a notice by the Municipality of the need to make repairs or replacement.
- P. PSES owners and/or operators will be required to submit to the Municipality a maintenance agreement explaining how the vegetation under and around the array and all accessory structures including fencing will be maintained.
- Q. All determination of previous and impervious coverage for storm water management purposes will be managed by the PA DEP or the Greene County Planning Commission and the existing Subdivision and Land Development Ordinance unless a local storm water management ordinance is adopted by Cumberland Township for residential development.
- R. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
- S. All PSES shall require a building permit issued by the Cumberland Township Engineer.
- T. Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.
  - 1. If required, a PSES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).
- U. Prior to the issuance of a zoning permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself: (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.

**Section 405.6 Ground Mounted Principal Solar Energy Systems (PSES)**

- A. The minimum yard setbacks from side and rear property lines shall be 100.00’.
- B. The minimum front yard setback are as follows:
  - 1. Along SR 0021, SR 0088 and SR 1021- The minimum front yard setback is three hundred feet (300’) from the existing legal right of way line.
  - 2. Along all other applicable State and Township Roadways - The minimum front yard setback is two hundred feet (200’) from the existing legal right of way line.
- C. Ground mounted PSES shall not exceed twenty feet (20’) in height above the ground elevation from the highest point of the system surrounding the systems.
- D. All determination of pervious and impervious coverage for storm water management purposes will be managed by the PA DEP or the Greene County Planning Commission and the existing Subdivision and Land Development Ordinance unless a local storm water management ordinance is adopted by Cumberland Township for residential development.
- E. Ground mounted PSES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede storm water runoff from collecting in a construed storm water conveyance system.
- F. If a ground mounted PSES is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and re-seeded within 12 months of the disturbance.
- G. Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.
- H. Ground mounted PSES shall have a Visual Vegetated Screen (See Definition) from any adjacent property or roadway.

- I. Visual Vegetated Screens shall be a minimum of four feet (4') high when planted and shall be spaced in a manner that will reduce or obstruct the view. (See Definition of Visual Vegetated Screen Spacing)
- J. All perimeter fencing shall be placed between shrubs and solar panels.
- K. All ground mounted PSES shall be completely enclosed by fencing that consists of a minimum six (6) foot high fence with a locking gate, or as designated by the municipality.
- L. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the PSES informing individuals of potential voltage hazards.
- M. Widespread use of herbicides to control ground cover growth is prohibited.
- N. Access to the PSES shall comply with the Greene County Planning Commission access requirements in the Subdivision and Land Development Ordinance.
- O. At a minimum, a 15' wide cart way shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles. Cart Way width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it.

#### **Section 405.6 Battery Energy Storage System (BESS)**

- A. All BESS installed shall meet the minimum setback requirements as set forth in this ordinance for PSES systems along with the added requirements of not being located within five hundred feet (500') to any existing dwelling.
- B. A gravel berm shall be installed extending at least 30 feet under and around any storage structure and shall be sufficient size to serve as a fire break.
- C. All BESS installed shall be secured with a minimum of eight foot (8') high fence with a clearly visible warning sign informing individuals of potential voltage hazards.
- D. It is the responsibility of the developer to ensure that all BESS installations conforms with with Section 5 of The Cumberland Township Noise Ordinance (1-2014)
- E. For all BESS Installed within Cumberland Township, it is the responsibility of the developer to confirm the water access to the site is available to the local fire departments. The minimum requirements are:

1. Access to a fire hydrant between five hundred feet (500') and eight hundred feet (800') of the BESS.
2. The fire hydrant must be able to produce one thousand gallons (1000) per minute.

#### **Section 405.7 Decommission of Principal Solar Energy Systems (PSES)**

- A. An affidavit, or similar evidence, signed by the property owner and the PSES facility owner affirming a lease agreement with a decommissioning clause (or similar) and a successors and assigns clause. The successors and assigns clause must bind those successors and assigns to the lease agreement.
- B. The PSES owner is required to notify the Municipality immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of 12 continuous months and the owner has not initiated necessary remedial actions to return the PSES to a generating state. If the PSES owner fails to dismantle and/or remove the PSES within 18 months of cessation or abandonment, the Municipality may complete the decommissioning at the property owner's expense. The PSES owner must post a bond when the application for such a system is filed with the Municipality in an amount determined by the Municipality's Engineer, to ensure the proper decommissioning
- C. The applicant for a Zoning Permit for a PSES shall execute an agreement with the Municipality providing financial security in an amount equal to one hundred twenty five (125%) per cent of the estimated cost to decommission the PSES. The estimated cost shall be prepared by the applicant and shall be in writing itemizing the costs. The estimated costs shall be subject to the approval of the Municipality. The financial security shall be:
  1. Funds deposited with the Municipality.
  2. A bond from an entity acceptable to the Municipality.
- D. The agreement and financial security shall remain in effect until the PSES is decommissioned and the land restored to its original condition. The financial security may be utilized by the Municipality to pay the costs of repair, replacement, dismantling, removal and/or restoration of the PSES or the land as provided herein. Every five (5) years, a new estimate of the said costs shall be submitted to the Municipality in writing

by the owner of the PSES. The said estimate shall be subject to the approval of the Municipality. The said financial security shall be adjusted to equal one hundred twenty five (125%) per cent of the said estimated costs. In the event the Municipality utilizes the said financial security as herein provided, the owner of the PSES shall, immediately, replace the funds so utilized to the 6-46 extent necessary to provide financial security in the amount of the said one hundred twenty (125%) per cent. The Municipality shall be entitled to an administrative fee of ten (10%) per cent of the cost of any work done by it pursuant hereto. The same may be deducted from the financial security. Should the financial security not be sufficient to pay the costs and the fee, the owner of the PSES shall be liable for the costs and fees not paid from the financial security. The agreement referred to herein shall be prepared by the Municipality. All costs, expenses and fees incurred by the Municipality in reviewing the estimates or enforcing the said agreement shall be paid by the owner of the PSES within ten (10) days of receiving a bill for the same.

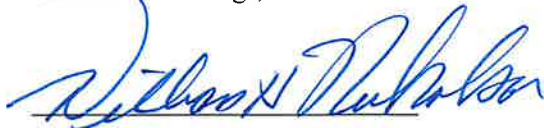
**Section 405.8 Fees of Principal Solar Energy Systems (PSES)**

- A. Cumberland Township reserves the right to require application fees and bonding requirements for development. Fees to be set by the Township and recorded in the yearly fee schedule.

ENACTED this November 4, 2024, 2024, after a motion to approve passed by the Supervisor of Cumberland Township at a duly called and advertised public Supervisors meeting.

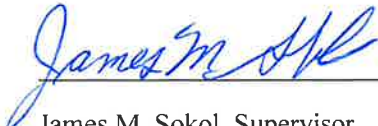


Samuel H. Hastings, Chairman

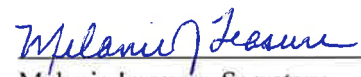


William H. Nicholson, Supervisor



  
James M. Sokol, Supervisor

ATTEST

  
Melanie Leasure, Secretary



SEAL