

**ORDINANCE NO. 17-1106**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE,  
DECLARING A MORATORIUM UPON THE ERECTION,  
INSTALLATION, CONSTRUCTION OR OTHER UTILIZATION  
AND/OR PLACEMENT OF SOLAR PANELS OR SOLAR ARRAYS  
WITHIN THE CITY OF RED BANK**

**WHEREAS**, the City has, at present, no systematic regulation of whether, how, when and under what circumstances solar panels or solar arrays or other solar panel power electrical generating facilities and circumstances may be constructed, erected, added to, placed upon, or otherwise installed and/or regulated with respect to either residential and/or commercial and/or investment properties in the City of Red Bank, Tennessee; and

**WHEREAS**, a systematic review of the possibilities, appropriateness, and necessary rules, regulations and/or requirements with respect to same are desirable from an overall health, safety and welfare standpoint of the City and of its citizens; and

**WHEREAS**, recent inquiries have been forthcoming with requests for an explanation with respect to the requirements and building permits of and with respect to such solar panels, solar arrays or other utilization of solar electrical generating equipment; and

**WHEREAS**, the City desires and requires a reasonable amount of time to plan how, when, where and under what circumstances and pursuant to what rules and regulations such uses shall be hereafter allowed in the City of Red Bank.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. There is hereby declared a citywide MORATORIUM of or with respect to the use, installation, placement, orientation, utilization setbacks, construction and/or other use of any kind or nature whatsoever related to solar panels, solar arrays, photo electrical generating cells for a period of one (1) year (365 days from the date of the enactment hereof) in order to give time for the City to make a systematic study of such property uses and/or installations within the City limits of the City of Red Bank, Tennessee.

SECTION 2. During the time of this MORATORIUM there shall be no construction permits, no installations, no additions, no utilization or "hook ups" of solar arrays, solar panels, or photoelectric cells of any kind or nature or of similar compilation or composition whatsoever within the City of Red Bank.

SECTION 3. This MORATORIUM may be lifted upon enactment of an Ordinance repealing same.

SECTION 4. This MORATORIUM may be, by Ordinance appropriately enacted, EXTENDED for other periods of time subject to the ordinary Ordinance enactment process of the City.

SECTION 5. Any attempts by any person, entity, corporation or property owner or contractor, or other person is declared a violation of this Ordinance and shall be punished under the general penalty clause of the Red Bank City Code, the same being a fine of up to \$50.00 for each violation, with each day of violation constituting a separate offense.

SECTION 6. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 7. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.



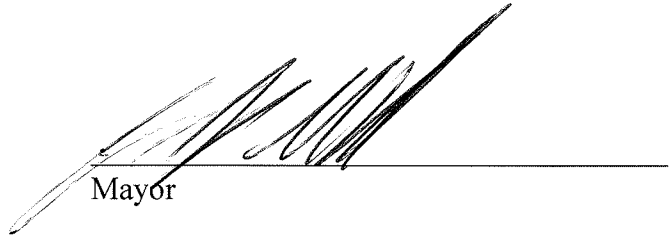
City Recorder



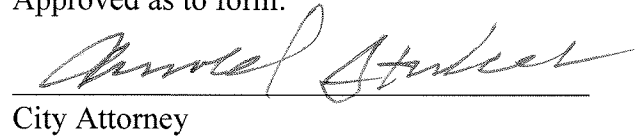
Passed on First Reading



Passed on Second and Final Reading

  
Mayor

Approved as to form:

  
City Attorney