

**AN ORDINANCE OF THE COUNTY OF ADAMS PROVIDING FOR THE
ESTABLISHMENT OF A COUNTY-WIDE ADDRESSING SYSTEM**

BE IT ORDAINED BY THE COUNTY BOARD OF ADAMS COUNTY, ILLINOIS:

Section 1. Adoption -- Purposes. There is hereby established for Adams County, a system of address numbering for all residences, businesses or other main buildings in the County.

It is the purpose of the address numbering to:

- 1) facilitate the rendering of fire and police protection and assistance and the giving of medical aid in case of accident or other need, thus promoting the public health, safety and general welfare of the citizens of the County; and
- 2) expedite the delivery of merchandise, fuel and mail and the servicing and repair of farm, business and home utilities and equipment; and
- 3) make possible the gradual development of more efficient methods of keeping business and public records relating to property, residents and business.

Section 2. Explanation of Addressing Systems. Three different types of addressing systems shall be used in the County:

- 1) a system for the rural portions of the County, including rural subdivisions, but excluding the corporate limits of incorporated villages and the Townships of Melrose, Ellington, Riverside and Quincy; and
- 2) a system for Quincy and the surrounding Townships of Riverside, Ellington and Melrose (collectively known as the Tri-Townships) and based on the existing Quincy numbering system; and
- 3) individual systems for each incorporated village outside Quincy and the Tri-Townships based on platted street names and, where applicable, existing address systems.

Section 3. Establishing Baselines and Grid Systems. Reference baselines for numbering houses shall be established for each system as follows:

- 1) *Rural System*
 - a. The south County line shall be designated as a zero baseline from which all parallel east-west public land survey section lines shall establish, for reference, a grid system indicating a relative distance North from the immediately

aforementioned zero baseline and/or section lines.

- b. The North-South public land survey section line nearest and West of the Westernmost boundary point of the County shall be designated as the zero baseline from which all parallel North-South section lines shall establish, for reference, a grid system indicating a distance East from the immediately aforementioned zero base line and/or section lines.

2) *Quincy System*

- a. A baseline established in part by Maine Street from Front Street to 48th Street in Quincy and then extending as an imaginary line East from 48th Street in Quincy to the Burton Township line, shall establish for reference a grid system indicating a relative distance either Northward to the North boundary of Riverside and Ellington Townships or Southward to the South boundary of Melrose Township from the aforementioned baseline.
- b. The North-South public land survey section line forming the common boundary of sections 34 and 35, Township 2 South, Range 9 West and extending Northward to the North boundary of Riverside Township shall be designated as the baseline from which all parallel North-South section lines shall establish for reference a grid system indicating a distance East or West from the immediately aforementioned baseline and/or section lines.

3) *Village System*

- a. For incorporated villages with existing address systems, East-West and North-South baselines will continue to be those already established. For incorporated villages without existing address systems, Village Administrators shall establish baselines.
- b. For unincorporated villages, baselines will be the same as those for the County's rural system.

Section 4. Street Naming Conventions.

1) *Rural System*

- a. All Township roads and County Highways outside incorporated limits and rural subdivisions shall have a street name constructed as follows: street prefix + street number + street type. The naming convention incorporates most of the existing field reference designations.
 - 1) For predominantly East-West oriented roads, the street prefix shall be 'North' since it is parallel to and North of the South baseline. The street number shall be determined by multiplying the distance in miles from the South baseline by 100. The street type shall be 'Avenue'. For example, the township road 20 miles North of the South County line would be named

'North 2000th Avenue' and would be abbreviated as 'N 2000th Ave'.

- 2) For predominantly North-South oriented roads, the street prefix shall be 'East' since it is parallel to and East of the West baseline. The street number shall be determined by multiplying the distance in miles from the West baseline by 100. The street type shall be 'Street'. For example, the County Highway 23 miles East of the West baseline would be named 'East 2300th Street' and would be abbreviated as 'E 2300th St'.
 - 3) For predominantly diagonal or curved roads, the street prefix will be either 'North' or 'East' depending on the current field reference designation; the street number shall also be determined by the current field reference number and the number shall always end in '3' to indicate a diagonal or curved road. The street type shall be 'Lane', also indicating a diagonal or curved road.. For example, the Township road with field reference designation of '803 N' shall become 'North 803rd Lane' and would be abbreviated as 'N 803rd Ln'.
 - 4) For side roads that depart from a main Township road or County Highway and then return to the original road, the road name shall be the same as the adjacent main road except that the street type shall be 'Loop'.
 - 5) Dead-end roads less than a mile but greater than 300 feet in length shall be assigned a name corresponding to its location within the rural grid system. The street type shall be 'Place', also indicating a dead end road.
- b. Rural subdivision streets shall be assigned names as designated on the official plat for the subdivision.
 - c. State and US highways shall retain current highway names (e.g., 'State Highway 96'). For those highways comprised of both East-West oriented as well as North-South oriented sections, a street suffix of 'North' for east-west sections or 'East' for North-South sections shall be added to the existing highway name to more easily comply with the proposed rural addressing system.

2) *Quincy System*

- a. All city streets, township roads and county highways within the Quincy system limits shall have a street name constructed as follows: street prefix + street name or number + street type. Some roads may have an additional street suffix attached as explained below.
 - 1) For predominantly East-West oriented roads and diagonal or curved roads, the street name shall consist of either an official, platted name (where available) or, for unplatted roads, a historical or commonly known name approved by the City Administrator. Roads extending to the West of the West baseline for the Quincy System shall have the street prefix 'West' preceding the street name. Roads on the North and South boundaries of the Tri-townships shall be named and addressed according to the Quincy system.

- 2) For predominantly North-South oriented roads, street names shall consist of numeric street names with Maine Street as the baseline which divides the streets into North and South parts. Numeric street names shall be applied to all streets, including roads on the East boundary of the Tri-townships, except where historical or commonly known names are already established and approved by the City Administrator.
- b. The portion of State Highway 96 North of US 24 shall retain the name of State Highway 96 North. The Portion South of US 24 to State Street shall retain the name of Twenty-fourth Street, the portion from Twenty-fourth Street to Thirty-sixth Street shall retain the name of State Street, the Portion from State Street to Payson Road shall retain the name Thirty-sixth Street and the portion East of Thirty-sixth Street shall be called Payson Road. Also, the portion of State Highway 96 Southeast of Payson Road shall be called State Highway 96 South. In addition, US Highway 24 shall retain its name within the Quincy system with the street suffix 'North' added to the segment from Gardner Park Road North to the intersection with Boy Scout Road. From this point Eastward to the Gilmer Township line, the street suffix shall change to 'East'. State Highway 57 shall be named Gardner Expressway from York Street South to the South line of Melrose Township. State Highway 104 shall be named Broadway along its entirety within the Quincy system.

3) *Village System*

- a. Platted street names shall be used for all incorporated or unincorporated villages. Unincorporated villages without platted street names shall be assigned a street name in accordance with the rural system naming convention. Incorporated villages without street names shall either have the Village Administrator assign names or adopt a name based on the rural system.

Section 5. Numbering Systems. The following rules shall govern the assignment of numbers to be used for principal buildings, driveways and potential land division:

1) *Rural System*

- a. All rural numbers, including those within rural subdivisions, shall be assigned according to the rural system grid. One hundred (100) numbers, consisting of 50 odd (1 through 99) and 50 even (0 through 98) numbers, shall be available for assignment and use within each section of land or mile along any road. For roads that vary in length from 5280 feet, a proration factor shall be applied to normalize the length of road to 5280 feet.
- b. Addresses shall be assigned according to distance from baseline plus distance from section line grid. For example, a house located on North 2600th Avenue halfway between East 1000th Street and East 1100th Street shall be assigned an address of 1050 North 2600th Avenue. The address of 1050 indicates it is 10.5 miles East of the West baseline for the County while the street name indicates it is 26 miles North of the South County line.

- c. Diagonal or curved Township roads and County Highways with 'North' street prefixes shall be assigned addresses based on distances from the West baseline while roads with 'East' street prefixes shall be assigned addresses based on distances from the South baseline. Addresses for State and US highways shall be determined by the street suffix assigned to any given highway segment.
- d. Assuming that all roads point either Eastward or Northward, then odd numbers shall always be on the left and even numbers on the right.

2) *Quincy System*

- a. For streets and roads currently without addresses in the Quincy system, each mile as defined by the public land survey system grid shall be subdivided into twelve (12) blocks with a nominal length of 440 feet. For roads that vary from a length of 5280 feet (1 mile), a proration factor shall be applied to normalize the length of the road to 5280 feet to maintain consistent address assignments. In determining address numbers, there shall be allowed one number for each twenty-five feet of ground of each block, as stated in Section 13.303 of Article III, Chapter 13 in the Municipal Code of the City of Quincy, Illinois.

Most existing street-style addresses heretofore assigned throughout the City and in the surrounding Tri-Townships shall remain in effect. However, in an effort to standardize existing addresses throughout the Quincy System, the following types of addresses will have new street-style addresses assigned:

- 1) lot number addresses
- 2) street intersection addresses
- 3) street style addresses that are out of sequence with adjoining properties

New street addresses shall be assigned by the City Administrator. These numbers must be displayed according to the stipulations in Section 9 of this ordinance.

- b. For predominantly North-South oriented streets, numbers shall increase Northward and Southward from Maine Street with odd numbers on the West side of the street and even numbers on the East side North of Maine Street and with odd numbers on the East side and even numbers on the West side South of Maine Street. Addresses shall start at 100 (not zero) at the Maine Street baseline with the largest block number north of the Maine Street baseline being the 7500 block and the largest block number south of the Maine Street baseline being the 6900 block.
- c. For predominantly East-West oriented streets, numbers shall increase Eastward and Westward from the West baseline. Odd numbers shall be on the North side of the street and even numbers on the South side regardless of the location relative to the West baseline. Addresses shall start at 100 at the West baseline with the largest block number East of the West baseline being the 9500 block

and the largest block number West of the West baseline being the 2300 block.

- d. Addresses for diagonal or curved streets shall be determined by the City Administrator depending on if the general direction is more nearly East-West or North-South and if logical continuity is maintained.

3) *Village System*

- a. For incorporated villages with existing address systems, no changes shall be made to existing systems. For incorporated villages without existing systems, the Village Administrator shall determine address assignments. For unincorporated villages, numbers will be assigned using the rural system in conjunction with existing platted streets names where available.
- b. Address systems for incorporated villages shall terminate at the corporate limits, beyond which point they are superseded by the rural system. Villages may extend their addressing systems outside the corporate limits by adopting jurisdictional limits.

Section 6. New Structures.

- 1) All persons, firms, corporations and other legal entities constructing new structures or locating or relocating mobile homes in Adams County shall obtain an address notification form or serial number, duly issued by the administrator of the applicable addressing system.
- 2) No utility company operating in Adams County shall furnish its utility services to any new structure or mobile home, including a mobile home that is moved from one location to another, until it has been issued a valid address and either issued an address notification form or provided with the serial number from the address notification form as issued by the appropriate administrator. A "new structure" is defined as a commercial building, house or apartment newly constructed, being occupied by the applicant for the first time and that will require an installation visit to obtain service. The subscriber will be required to provide proof that an address notification form has been obtained or that a proper address has been issued. Proof shall consist of providing the assigned street and structure number and the serial number of the address notification form as issued by the appropriate administrator.
- 3) Applicants shall apply for the address notification form from the Adams County Engineer's Office or the Quincy City Engineer's Office. Application may be made via telephone or in writing to one of the aforementioned offices which shall furnish the applicant with sufficient copies of the address notification form necessary to present to the utility companies and the United States Postal Service, if requested by said utilities and Postal Service. When a request is made for an address, the approximate location will be obtained from the resident along with any identifying structures or landmarks which may help locate the structure or property requiring the address.

- 4) As soon as is practically possible after a request is made for an address to the appropriate administrator's office, an address shall be issued and the necessary form filled out and a serial number assigned to said form. Each administrator's office shall maintain a record of all addresses issued.

Section 7. New Subdivisions. All new subdivisions shall require assignment of new street addresses for each lot prior to recording of the plat and legal description. Further, the subdivider or developer shall provide the subdivision with street signs at every newly platted street intersection. Names for streets must be approved by the appropriate administering office prior to recording the plat.

Section 8. Numbering Maps. All address numbers assigned shall be assigned in accordance with the official numbering maps, and no other property numbers shall be used or displayed in Quincy and Adams County except numbers assigned in accordance with the aforementioned maps. The address numbering maps shall be kept on file in the appropriate administrator's office.

Section 9. Displaying Numbers. The owner or occupant or person in charge of any house, building, mobile home or other structure to which a number has been assigned shall:

- 1) Within 30 days after the receipt or notification of such number, affix the number in a conspicuous place.
- 2) Remove any different number which might be mistaken for or confused with the number assigned to said structure by the issuing authority.
- 3) Each principal building or structure shall display the number assigned to the frontage on which the primary entrance is located. In case the principal building or structure is occupied by more than one business or family dwelling unit, each separate front entrance shall display a separate number. Where suite or lot numbers are assigned, the suite or lot number shall be displayed in the same manner as the house number.
- 4) Numerals indicating the official numbers assigned to each principal building, or each front entrance to such building, shall be posted in a manner as to be legible and distinguishable from the street or road on which the property is located, with numbers painted or applied, of not less than three inches (3") in height.
- 5) Mail boxes shall be marked with number also.
- 6) If the structure is not visible from the street or road on which it is located, and no mail box is beside the driveway leading to the structure, a sign or number post shall be erected which will allow the numbers to be displayed either vertically from the top down or horizontally.

Section 10. Compliance. In the event that the owner or occupant or person in charge of any house or building refuses to comply with the terms of this ordinance by failing to affix the

number assigned within thirty (30) days after notification, or by failing within said period of thirty (30) days to remove any old numbers affixed to such house, building or entrance, or elsewhere, which may be confused with the number assigned thereto, this person shall be fined not less than twenty-five dollars (\$25.00) nor more than two-hundred dollars (\$200.00). A separate offense shall be deemed committed upon each thirty (30) days during which the violation continues.

Section 11. Use by Public Officials. Wherever practicable, numbers along with highway names may be used in the operation of and with the records kept by State, County, municipal and township governments, local fire protection districts, civilian defense officials and other agencies operating in the County.

Section 12. Exceptions Where the administrator finds that an unincorporated area is wholly or partly surrounded by, or is closely related to, one or more municipalities and would be best served by the use of adjoining municipal numbering, an exception from the use of the rural numbers may be granted.

Section 13. Administration. The County Engineer shall be the Administrator of the rural numbering system including unincorporated villages; the Quincy City Engineer shall be the Administrator of the Quincy numbering system; and the Village Board of each incorporated village shall be the Administrator for its respective village numbering system.

Section 14. Permissive Authority. This resolution intends to provide an official system of numbering which may be adopted by any municipal corporation within Adams County at the discretion of the authorities of such corporation. The adoption of this resolution by the County Board of Adams County does not imply that the regulations herein contained will be imposed upon any municipal corporation, but shall be considered permissive authority to guide the establishment of such a system by those municipal corporations desiring to use same.

Adopted this 9th day of January, 1996.

ARTICLE VI – ADAMS COUNTY WIND ENERGY SITING CODE

5-6-1 PURPOSE

This Ordinance is adopted for the following purposes:

- (a) To assure that any development and production of wind-generated electricity in Adams County is safe and effective;
- (b) To facilitate economic opportunities for local residents;

5-6-2 DEFINITIONS

- (a) "Applicant" means the entity or person who submits to the County, pursuant to Section V of this Ordinance, an application for the siting of any WECS or Substation.
- (b) "Fall Zone" means the area, defined as the farthest distance from the WECS Tower base, in which a WECS Tower will collapse in the event of a structural failure. This area is the total height of the structure plus length of blade.
- (c) "Feeder Line" means any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind turbines to the point of interconnection with the electric power grid.
- (d) "Financial Assurance" means reasonable assurance from a credit worthy party, examples of which include a surety bond, trust instrument, cash escrow, or irrevocable letter of credit.
- (e) "Meteorological Tower" means those towers which are erected primarily to measure wind speed and direction plus other data relevant to siting a WECS Project. For purposes of this ordinance, Meteorological Towers do not include towers and equipment used by airports, the Illinois Department of Transportation, or other similar applications or government agencies, to monitor weather conditions.
- (f) "County Board" means the Adams County Board.
- (g) "Operator" means the entity responsible for the day-to-day operation and maintenance of the WECS, including any third party subcontractors.
- (h) "Owner" means the entity or entities with an equity interest in the WECS(s), including their respective successors and assigns. Owner does not mean
 - i. the property owner from whom land is leased for locating the WECS (unless the property owner has an equity interest in the WECS); or
 - ii. any person holding a security interest in the WECS(s) solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the WECS(s) at the earliest practicable date.
- (i) "Primary Structure" means, for each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary structure will be on a permanent foundation, served with electricity, potable water, and sewer or septic system. Primary Structure includes structures such as residences, commercial buildings, schools, churches, hospitals, retail buildings and day care facilities. Primary Structure excludes ancillary structures which are not used for residential purposes such as hunting sheds, storage sheds, pool houses, unattached garages and barns.
- (j) "Property Line" means the boundary line of the area over which the entity applying for a WECS permit has legal control for the purposes of installation of a WECS. This control may be attained

through fee title ownership, lease, easement, or other appropriate contractual relationship between the project developer or Owner and landowner.

- (k) "Public Conservation Lands" means land owned in fee title by state or federal agencies and managed specifically for conservation purposes, including but not limited to state and federal parks, state and federal wildlife management areas, state scientific and natural areas, and federal wildlife refuges and waterfowl protection areas. Public conservation lands do not include private lands upon which conservation easements have been sold to government agencies or non-profit conservation organizations. Public conservation lands also do not include private lands for which the owners have entered into contractual relationships with government or non-profit conservation organizations for conservation purposes.
- (l) "Structural Engineer" means a qualified individual who is licensed as a structural engineer in the State of Illinois.
- (m) "Substation" means the apparatus that connects the electrical collection system of the WECS(s) and increases the voltage for connection with the utility's transmission lines.
- (n) "Transmission Line" means those electrical power lines that carry voltages of at least 69,000 volts (69 KV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.
- (o) "Wind Energy Conversion System" ("WECS") means all necessary devices that together convert wind energy into electricity, including the rotor, nacelle, generator, WECS Tower, electrical components, WECS foundation, transformer, and electrical cabling from the WECS Tower to the Substation(s).
- (p) "WECS Project" means the collection of WECSs and Substations as specified in the siting approval application pursuant to Section V of this Ordinance.
- (q) "WECS Tower" means the support structure to which the nacelle and rotor are attached.
- (r) "WECS Tower Height" means the distance from the rotor blade at its highest point to the top surface of the WECS foundation.
- (s) "Wind Turbine" means any piece of electrical generating equipment that converts the kinetic energy of moving wind into electrical energy through the use of airfoils or similar devices to capture the wind.

5-6-3 APPLICABILITY

- (a) This Ordinance governs the siting of WECSs and Substations that generate electricity to be sold to wholesale or retail markets.
- (b) Owners of WECSs with an aggregate generating capacity of 0.5MW or less who locate the WECS(s) on their own property are not subject to this Ordinance.

5-6-4 PROHIBITION

No WECS or Substation governed by Section III A. of this Ordinance shall be constructed, erected, installed, or located within the County, unless prior siting approval has been obtained for each individual WECS and Substation pursuant to this Ordinance.

5-6-5 PROCEDURE

- (a) Filing of an Application – The Applicant for a WECS approval shall file twenty-five (25) copies of application, including ten (10) full-size copies of exhibits and fifteen (15) reduced copies of all exhibits, with the County Clerk, together with the appropriate site review application fee. The Applicant is to provide up to ten (10) additional copies of the application to the County upon request.
- (b) Fee Schedule – Upon submittal of the application for a WECS, the Applicant shall submit a non-refundable check to Adams County in the amount of \$50,000 which funds will be utilized to review and assess the application. Should the actual costs to the County exceed \$50,000, the Applicant shall be responsible for those additional costs, including, but not limited to the costs of outside attorneys, hearing officer, and consultants (e.g. noise engineers, traffic engineers, and environmental consultants) and shall remit additional funds to the County within 15 days of receipt of a request from the County. The County will submit invoices in a timely manner. The County will provide itemized records detailing fund distributions upon request by the Applicant. Such requests may not occur more than one time per calendar month.
- (c) County Clerk Responsibilities:
 - (1) Accept and date stamp the application as filed. The date stamp of the County Clerk should be considered the official filing date for all time purposes. Receipt and acceptance of an application by the County Clerk is pro forma, and does not constitute an acknowledgment that the Applicant has complied with the County ordinance.
 - (2) The County Clerk shall forward the application to the County Engineer for a determination of completeness.
 - (3) The County Clerk shall make available a copy of the application and public record concerning the application for public inspection during the normal business hours of the County offices. Additionally, the County Clerk shall provide to any person so requesting, copies of the application or the public record, upon payment by such persons for the actual cost of reproduction.
- (d) Determination of Completeness – After the filing of an application the County Engineer shall make a preliminary determination of completeness of the application. If, in the County Engineer’s opinion, the application has addressed the required elements of an application, it will be forwarded to the Transportation, Building and Technology Committee and the County Board to conduct a public hearing on the application. If the application is incomplete, the Applicant will be so notified and the application will not proceed to hearing unless good cause is shown for the incompleteness.
- (e) Notice – The Applicant must provide a complete list of all properties adjacent to a proposed WECS or within one-half mile of a property upon which a proposed WECS is to be located. The Applicant shall have a notice issued to every owner of those properties by certified mail, registered mail, or personal service at the last known address of such owner of property as identified by the County tax records. Said notice will identify the nature of the proposed use and the date that a public hearing shall occur on the proposed use in front of the County Board and that any person may file an appearance to participate in that hearing and present witnesses at least five (5) days before the hearing commencement date. Those notices must be served at least 15 days before the public hearing shall commence and no earlier than 30 days before the hearing shall commence. The

Applicant shall provide evidence of notification or evidence of a “good faith” effort to contact the property owner prior to the hearing if requested by the County.

Said hearing notice shall also be published in a circulation of general publication at least three times before the hearing commences with the first publication occurring at least 30 days before the hearing and at least one publication occurring between 7 and 15 days before the hearing commences.

- (f) Hearing Officer – The County Board will appoint a hearing officer to preside over the WECS hearing. The hearing officer shall preside over the public hearing; establish a record of the proceedings using a certified court reporter, make decisions concerning the admission of the evidence and the manner in which the hearing is conducted. The County Board may request that the hearing officer draft a recommendation and proposed findings. At the commencement of the hearing people wishing to provide sworn testimony or unsworn public comment will be identified by a sign in sheet.
- (g) Entering an Appearance at Hearing and Submitting Exhibits – The hearing officer, any County Transportation, Building and Technology Committee member and any person who enters an appearance with the County at least seven days before the hearing will have the opportunity to question witnesses. Members of the public who do not enter an appearance at least seven days before the hearing may submit their questions for witnesses to the hearing officer who at his or her discretion may ask them of the witness. Any person or persons may appear at the hearing through an attorney licensed in Illinois. Any person offering sworn testimony will be subject to questioning. People offering public comment only (without being sworn in) will not be subjected to questioning. At least five copies of any exhibits which will be used in testimony or questioning must be furnished by the person offering such exhibit.
If the hearing officer is requested by the Transportation, Building and Technology Committee to make a recommendation and proposed findings such shall be provided within three business days of the completion of the hearing and submitted to the Transportation, Building and Technology Committee.
- (h) Committee and Board Action – The Transportation, Building and Technology Committee will consider the following facts:
 - (1) Whether the application and proposed WECS Project substantially complies with the WECS ordinance.
 - (2) Whether the proposed WECS Project is sufficiently protective of the public health, safety and welfare.

Within 10 days of conclusion of the hearing the Transportation, Building and Technology Committee shall tender its findings and recommendations to the County Board. The committee may recommend approval, approval with request for additional information or clarification, approval with conditions or denial. Within 30 days of the conclusion of the public hearing the County Board will meet in public session and render its decision. The County Board may approve, approve with conditions, or deny the application.

- (i) Refiling – Any Applicant, owner or operator whose WECS project application is denied may not refile a substantially similar application for one year. If the County Engineer determines an application is substantially similar to one the Applicant filed within one year it will not be

forwarded to the Transportation, Building and Technology Committee or the County Board for review.

5-6-6 SITING APPROVAL APPLICATION

(a) Form of Applications:

- (1) All applications shall be in writing on paper of eight and one-half inches by eleven inches (8 ½" by 11"), eight and one-half inches by fourteen inches (8 ½" X 14"), or eleven inches by seventeen inches (11" X 17"). For legibility, full-sized exhibits shall be on minimum ANSI D size paper.
- (2) The pages of the application shall be consecutively numbered, and all exhibits clearly marked and identified.
- (3) The application including exhibits or graphic presentations shall also be furnished in an electronic format suitable for reproduction for public dissemination and for posting on the Adams County Website.

(b) The siting approval application shall contain or be accompanied by the following information:

- (1) An executed Host Agreement must be appended to, and included as part of, any WECS application filed with the County. The content of said Host Agreement will be discussed and negotiated between the Applicant and the County's appointed counsel or representatives and will address issues including, but not limited to, payments in lieu of taxes (Example attached as Exhibit A), economic issues, renewable energy credit sharing, carbon credit sharing, reimbursement of County expense including consultants, experts and outside attorneys' fees.
- (2) A WECS Project Summary, including: (1) a general description of the project, include (i) its approximate overall name plate generating capacity, (ii) the potential equipment manufacturer(s), (iii) types(s) of WECS(s), (iv) number of WECSs, and name plate generating capacity of each WECS, (v) the maximum height of the WECS Tower(s) and maximum diameter of the WECS(s) rotor(s), and (vi) the general location of the project; and (2) a description of the Applicant, Owner and Operator, including their respective business structures.
- (3) The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owners(s), if known, and documentation demonstrating land ownership or legal control of the property.
- (4) A Site Plan for the installation of WECS(s) showing the planned location of each WECS Tower, substation, anchor bases, and service roads, Primary Structure(s), Property Lines (including identification of adjoining properties), all proposed structures, public access roads and turnout locations, Substation(s), electrical cabling from the WECS Tower(s) to the Substation(s), ancillary equipment, and third party transmission lines.

Site Plan information not available at the time of application but to be obtained prior to construction or through an ALTA survey shall be provided in a detailed list.

Site Plan information shall be on Illinois State Plane Coordinate System: NAD 1983 State Plan Illinois West FIPS 1202 Feet. Site plan information shall also be supplied in an electronic format suitable for incorporation into the Adams County Geographic

Information System database. Information to be provided should include but not limited to: tower locations and heights, road easements, substation locations, and other non-proprietary information.

- (5) The legal description of each proposed tower and substation location.
 - (6) All proposed setback dimensions.
 - (7) Topographic site information for the subject property and the adjacent properties within one-fourth (1/4) mile of the property line of the subject property indicating contours in ten foot (10') intervals.
 - (8) Existing structures on properties within one-fourth (1/4) mile of the property.
 - (9) All existing and proposed underground and aboveground utilities and identification of all communication towers within two miles of the proposed WECS.
 - (10) All rights of way, wetlands, flood plains, drainage ditches, scenic and natural areas and wooded areas on properties under contract with the Applicant, and public conservation lands on properties within 1,500 feet of a proposed WECS.
 - (11) Ingress and egress from the site as proposed during construction and thereafter, which indicates:
 - i. Proposed road surface and cover.
 - ii. Dust control.
 - iii. Width and length of access route and location of ingress/egress.
 - iv. Road maintenance progress or schedule for proposed use of land.
 - (12) Certified easements, contracts, waivers, and option agreements for proposed use of the land.
 - (13) Notice by registered mail or certified mail to residential and commercial microwave communication users within a 2.5 mile radius of the subject property informing them of the proposed WECS.
 - (14) Utility interconnection details and a copy of written notification to the utility company requesting the proposed interconnection.
 - (15) Fire protection plan for the construction and the operation of the facility.
 - (16) Revegetation plan of the areas that will be disturbed.
 - (17) Description of hours of operation for construction and maintenance of the facility, numbers of employees and type of traffic expected to be generated from the site.
 - (18) Public road routes.
 - (19) A permit application filed with the Federal Aviation Administration;
 - (20) A proposed Decommissioning Plan for the WECS project;
 - (21) All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance; and
 - (22) Any other information normally required by the County as part of its permitting requirements for siting buildings or other structures, if applicable.
- (c) The Applicant shall notify the County of any changes to the information provided in Section V.D. above that occurs while the siting approval application is pending.

5-6-7 DESIGN AND INSTALLATION

- (a) Design Safety Certification and Conformance to Codes and Standards

- (1) WECSs and all components shall conform to all applicable industry standards, including those of the American National Standards Institute ("ANSI") and the International Electrical Commission. Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ("UL"), Det Norske Veritas ("DNV"), Germanischer Lloyd Wind Energie ("GGL"), or an equivalent third party. The WECS shall comply with all applicable local and county codes for electrical, mechanical and structural components of the facility. All documents provided for review shall be stamped by a professional engineer.
 - (2) Following the granting of siting approval under this Ordinance, a Structural Engineer shall certify, as part of the permit application, that the foundation and tower design of the WECS is within accepted professional standards, given local soil and climate conditions.
- (b) Controls and Brakes – All WECSs shall be equipped with manual and automatic controls and mechanical brakes to limit rotation of the blades to a speed below the design limits of the WECS. A professional engineer or authorized factory representative must certify that the rotor and overspeed control design and fabrication conform to good engineering practices. No changes or alterations from the certified design shall be permitted unless accompanied by professional engineer or authorized factory representative’s statement or certification and approved by the company.
 - (c) Electrical Lines – All electrical wires and lines connecting WECS to other WECS or substation shall be installed underground to the greatest extent possible.
 - (d) Color, Finish and Appearance – The tower and the blades of the WECS shall be uniform in style and color and shall be white or gray or another unobtrusive color. The finish of the tower and the blades shall be matte and nonreflective. The towers and blades shall be uniform in direction of blade rotation. Any on site buildings shall be designed such that they are unobtrusive to minimize the industrial character of the project. All colors, finishes and design shall conform to all applicable FAA requirements. Except for required warnings and tower identification, no lettering, company insignia, advertising or graphics shall be on any part of the tower, hub or the blades. Standard company insignia may be placed on the nacelle of the WECS.
 - (e) Warnings and Tower Identification – Signs warning of the high voltage associated with the WECS shall be posted at every entrance to the WECS, at the base of all pad mounted transformers and substations. Visible, reflective, colored objects such as flags, reflectors or tape shall be placed on the anchor points of guywires, if any, and along the guywires up to a height of not less than eight feet (8’) from the ground. A sign that provides emergency contact information, such as phone number, shall be posted near the tower and the operations and maintenance building and each tower shall have posted a unique number for identification purposes.
 - (f) Setback Requirements
 - (1) All WECS Towers shall be set back at least 1.1 times the WECS Tower Heights from any Primary Structure on a parcel of real property which is participating in a WECS project by leasing, contracting, owning, selling, or allowing any portion of said real property to be used for the placement of a WECS. The distance for the participating landowner setback shall be measured from the point of the Primary Structure foundation closest to the WECS Tower to the center of the WECS Tower foundation. All WECS shall be set back from a Primary Structure on non-participating lands by at least 1,320 feet. The owner of the Primary Structure may waive this setback requirement; but in no case shall a WECS Tower

be located closer to a Primary Structure than 1.10 times the WECS Tower Height or within the Fall Zone of the WECS Tower. All WECS shall be set back at least 1,500 feet from school property lines unless waived by the school district.

- (2) All WECS Towers shall be set back a distance of at least 1.1 times the WECS Tower Height from public roads, third party transmission lines, and communication towers. The County may waive this setback requirement.
 - (3) All WECS Towers shall be set back a distance of at least 1.5 times the WECS Tower Height or the Fall Zone, whichever is greater from adjacent Property Lines. The affected adjacent property owner may waive this setback requirement.
 - (4) All WECS Towers shall be set back a distance of at least 1.1 times WECS Tower Height from the Property Line of any Public Conservation Lands, and a distance of at least 1500 feet from any river bluff located on public or private property.
 - (5) The Applicant will need to obtain a variance from the County upon waiver by either the County or property owner of any of the above setback requirements. Any waiver of any of the above setback requirements shall run with the land and be recorded as part of the chain of title in the deed of the subject property.
- (g) Compliance with Additional Regulations – Nothing in this Ordinance is intended to preempt other applicable state and federal laws and regulations.
- (h) Use of Public Roads
- (1) An Applicant, Owner, or Operator proposing to use any County, municipality, township or village road(s), for the purpose of transporting WECS or Substation parts and/or equipment for construction, operation, or maintenance of the WECS(s) or Substation(s), shall:
 - i. Identify all such public roads; and
 - ii. Obtain applicable weight and size permits from relevant government agencies prior to construction.
 - iii. Adhere to any temporary postings due to weather conditions
 - (2) To the extent an Applicant, Owner, or Operator must obtain a weight or size permit from the County, municipality, township or village to use a public road, the Applicant, Owner, or Operator shall:
 - i. Enter into a road use and repair agreement with the County and respective municipalities, township or village.
 - ii. Conduct a pre-construction baseline survey to determine existing road conditions for assessing potential future damage;
 - iii. Provide a road repair plan to ameliorate any and all damage, installation or replacement of roads, streets, bridges, intersections, culverts, storm sewers, or public rights of way
 - iv. The Applicant shall provide a letter of credit or surety bond in an amount and type approved by the County Engineer and Township Road District Commissioner to assure compliance with the road repair plan and road agreement.
- (i) Drainage Systems – The Applicant shall be responsible for repairing, in a timely fashion, any damage caused to public drainage systems by the construction, operation or maintenance of WECS. Financial assurances in the form of cash or an escrow account, surety bond, or a letter of

credit in a form and amount acceptable to the County Engineer shall be posted to assure compliance with this section.

- (j) Height – The maximum WECS Tower Height shall not exceed 550 feet.
- (k) Power Lines – All electrical control wiring and power lines less than 69kv shall be wireless or not aboveground to the extent possible except where wind farm collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.
- (l) Access Roads – The Applicant shall minimize the number and width of access roads, minimize cut and fill on sloping terrain and use natural terrain where feasible for these access points.
- (m) Blade Clearance – The vertical distance from the grade to the tip of the wind turbine blade when the blade is at its lowest point must be at least thirty five feet (35’).
- (n) Lighting – Tower lighting shall meet all applicable FAA regulations. The Applicant shall seek leave from the FAA to utilize the least intrusive lighting possible.
- (o) Noise Levels – The sound pressure level generated by a WECS shall comply with all applicable Illinois Pollution Control Board noise regulations.
- (p) Shadow Flicker – The Applicant shall have an analysis conducted by a qualified professional of the expected potential shadow flicker. No turbine shall be located at an area that will result in shadow flicker at a primary structure on a non-participating landowner property of more than 20 hours per year.
- (q) Environmental Impact – The Applicant shall have a third-party qualified professional conduct analysis to identify and assess any potential impacts on the natural environment including wetlands and other fragile ecosystems, historical or cultural sites and antiquities. The Applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis. The Applicant shall identify and evaluate the significance of any effects or concerns that will remain after mitigation efforts.
- (r) Landscaping – Applicant shall minimize the disruption of natural environment, retain existing vegetation and native plant species to the maximum extent feasible and replant with native vegetation.
- (s) Climb Prevention – All WECS shall be designed to prevent unauthorized access to electrical and mechanical components or access to the towers on the site. A monopole with an internal ladder and locked access door is preferred and guy wired towers are disfavored. All towers shall not be climbable from the ground to fifteen feet (15’) aboveground and all access doors to towers and equipment shall be lockable.
- (t) Avian and Wildlife Impact – The Applicant shall have a third party, qualified professional conduct an analysis to identify and assess any potential impacts on wildlife and endangered species. The Applicant shall take the appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis. The Applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.
- (u) JULIE Membership – Applicant, after completion of construction, will become a member of the Joint Utility Locating Information for Excavation (“JULIE”), to identify the location of any underground electrical lines, to provide a list of the same to the County, and to register the same with JULIE.
- (v) Construction Hours – Applicant will undertake all construction activities associated with the Project only between the hours of 6:00 a.m. and 9:00 p.m. County Engineer approval must be

acquired before making any other change in work hours due to construction schedule requirements which will not be unreasonably withheld.

- (w) Stormwater Prevention – Applicant further agrees to provide a final Stormwater Pollution Prevention Plan for the Project to Adams County prior to the start of construction and obtain any other permits required by State and Federal government agencies.
- (x) Underground Cable Warnings – All cables, except where installed by trenchless methods, shall have an underground warning tape buried a minimum 24 inches below grade and a minimum of 12 inches above cable in the same trench. The warning tape shall be 6” wide polyethylene plastic, shall be red in color, and shall have the appropriate warning stenciled on it.
- (y) Agency Permits – Applicant shall obtain all required permits from other governmental agencies prior to commencing construction or as otherwise required by the applicable laws and regulations. Copies or evidence of such permits shall be submitted to the County on or before issuance of the first Permit for an individual wind tower. Permits shall be obtained from Adams County for the wind towers.
- (z) Substation Noise – Any substation to be constructed and operated as part of the Project shall utilize commercially available and reasonable sound-attenuation measures to minimize potential noise impacts for surrounding and nearby properties, the approval of which shall not be unreasonably withheld by the County. Substation lighting shall be limited to that necessary to provide safety and security. Normal substation nighttime operation shall utilize minimal lighting.

5-6-8 OPERATION

(a) Maintenance

- (1) The Owner or Operator of the WECS must submit, on an annual basis, a summary of the operation and maintenance reports to the County. In addition to the above annual summary, the Owner or Operator must furnish such operation and maintenance reports as the County reasonably requests.
- (2) Any physical modification to the WECS that alters the mechanical load, mechanical load path, or major electrical components shall require re-certification under Section VI(A)(I) of this Ordinance. Like-kind replacements shall not require re-certification. Prior to making any physical modification (other than a like-kind replacement), the Owner or Operator shall confer with a relevant third-party certifying entity identified in Section VI(A)(I) of this Ordinance to determine whether the physical modification requires re-certification.
- (3) An Applicant or successor in interest shall have the facility inspected annually by third party qualified wind power professionals at their own expense. The third party qualified wind power professional shall be subject to the approval of the Adams County Engineer. Within 30 days of the inspection a copy of any report must be provided to the Adams County Engineer. The WECS may not operate unless a certificate is provided to the Adams County Engineer indicating that the annual maintenance has been completed and the facility is in good working condition. Failure to provide this annual certification may cause the revocation of the operating permit.

(b) Signal Interference

- (1) WECS shall not be installed in any location where its proximity to existing fixed broadcast, retransmission or reception antennas for radio, television or wireless phone or other

personal communication systems would produce electromagnetic interference with signal transmission or reception unless the Applicant provides a replacement signal to the affected party that will restore reception to at least the level present before operation of the wind energy system. WECS shall not be installed in any location within the line of sight of an existing microwave communications link where operation of the wind energy system is likely to produce electromagnetic interference in the link's operation unless the interference is insignificant. The Applicant shall provide the project summary and site plan to all microwave

- (2) Transmission providers, and all communication tower operators within five miles of any WECS to address potential conflicts.
 - (3) If, after construction of the WECS, the Owner or Operator receives a written complaint related to interference with local broadcast residential television, the Owner or Operator shall take reasonable steps to respond to the complaint.
- (c) Crop Dusting – Applicant will make available a map to all aerial sprayers showing exact location of all turbines and meteorological towers including the exact GPS coordinates, township, section number and tower heights.
- (d) Coordination with Local Fire Department
- (1) The Applicant, Owner or Operator shall submit to the local fire department a copy of the Site Plan.
 - (2) The Applicant will communicate with any fire department(s) providing fire protection for the areas of the proposed WECS and upon request by the fire department cooperate in the development or revision of the fire department's emergency response plan.
 - (3) The Applicant shall where reasonably possible link the WECS project's fire detection systems with the appropriate fire departments.
 - (4) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.
- (e) Materials Handling, Storage and Disposal
- (1) All solid wastes related to the construction, operation and maintenance of the WECS shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.
 - (2) All hazardous materials related to the construction, operation and maintenance of the WECS shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.
- (f) Complaint Resolution – The Applicant shall develop a process to resolve any complaints that may arise from neighboring property owners during the construction and operation of the WECS. The process shall use an independent mediator and shall include a time limit for acting on a complaint that is received. The process shall not preclude the local government from acting on a complaint. The Applicant shall provide to the nearby residents a toll-free phone number for complaints during the construction of the facility if a problem should arise.

Applicant will respond to all complaints from persons directly affected by the WECS project within 48 hours, will attempt to resolve all complaints in a prompt and responsible manner, will keep a log of all complaints and the method of resolution, will make the log available to County, and will

agree to participate in a non-binding mediation for complaints that are not resolved with the cost of such to be paid directly by Applicant.

- (g) Federal, State and Local Requirement Compliance – The Applicant shall comply with all applicable Federal, State and Local laws and regulations with authority to regulate WECS.
- (h) County Access – Applicant will allow County officials or their agents, who are in compliance with the safety and operations requirements associated with the Project, to investigate any issues arising from the Project at and by entering the Project area and providing any requested documentation. Such access shall be granted upon reasonable notice by the County officials or their agents.

5-6-9 PUBLIC PARTICIPATION

Nothing in the Ordinance is meant to augment or diminish existing opportunities for public participation.

5-6-10 LIABILITY INSURANCE

The Owner or Operator of the WECS(s) shall maintain a current general liability policy covering bodily injury and property damage with limits of at least \$5 million per occurrence and \$5 million in the aggregate at all times. The County and all affected Road Districts must be listed as additional insured.

5-6-11 DECOMMISSIONING PLAN

Prior to receiving siting approval under this Ordinance, the Applicant, Owner, and/or Operator must provide a Decommissioning Plan to ensure that the WECS Project is properly decommissioned. The Decommissioning Plan shall include:

- (a) An acknowledgement by the Applicant that if WECS is out of service for a period of 180 days it will be deemed non-operational and removal of the WECS must commence;
- (b) An acknowledgement that within 180 days or within a negotiated time frame dependent upon extenuating circumstances (i.e. seasonal weather, available labor and equipment) of being determined non-operational the following must be removed:
 - (1) All wind towers above ground improvements and outside storage.
 - (2) Foundations, pads and electrical lines and reclaim the site to a depth of four feet (4') below the surface of the ground.
 - (3) Any hazardous materials or contaminated soils from the WECS disposed of in accordance with federal and state law.
- (c) Provisions for the restoration of the soil and vegetation;
- (d) An estimate of the decommissioning costs certified by a Professional Engineer to be updated every five years. Such estimate must explicitly detail the cost before considering the protected salvage value of out of service WECS.
- (e) Financial Assurance, posted in cash, escrow account, surety bond or irrevocable letter of credit, secured by the Owner or Operator, for the purpose of adequately performing decommissioning, in an amount equal to 100% of the Structural Engineer's certified estimate of the decommissioning costs without reducing said amount for salvage value;
- (f) Identification of and procedures for County access to Financial Assurances;

- (g) A provision that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator and any of their successors, assigns, or heirs;
- (h) A provision that the County shall have access to the site, pursuant to reasonable notice, to effect or complete decommissioning.

5-6-12 REMEDIES

- (a) The Applicant's, Owner's, or Operator's failure to materially comply with any of the above provisions shall constitute a default under this Ordinance.
- (b) Prior to implementation of the applicable County procedures for the resolution of such default(s), the appropriate County body shall first provide written notice to the Owner and Operator, setting forth the alleged default(s). Such written notice shall provide the Owner and Operator a reasonable time period, not to exceed 180 days, for good faith negotiations to resolve the alleged default(s).
- (c) If the County determines in its discretion, that the parties cannot resolve the alleged default(s) within the good faith negotiation period, then applicable County ordinance provisions addressing the resolution of such default(s) shall govern.

5-6-13 PERMIT TRANSFER

The WECS Permit may be transferred by the Applicant only upon the transferee's execution and delivery to the County Engineer of a letter agreeing to be bound by the foregoing conditions.

5-6-14 TERMS AND LIMITATIONS OF PERMIT

- (a) Permit Effective Date – The Certificate of Permit shall become effective upon approval by the County Board.
- (b) Failure to Commence Construction or Operation – Unless otherwise stated in the conditions of the Certificate of Permit, initial construction work on the WECS Project shall commence within twelve (12) months of the effective date of the Certificate of Permit unless such time period is extended by the County Board. If no extension of time is granted, the Certificate of Permit shall immediately terminate upon expiration of the twelve (12) month period.
- (c) Conditions – The County may impose any conditions to a permit to further the purposes and intent of this ordinance or minimize non-material impacts on citizens or other property in the area.
- (d) Revocation of Certificate of Permit – Upon finding a material violation of the terms of the Certificate of Permit, the County Board shall have the authority to revoke the Certificate of Permit after notice to the Applicant/Permittee and after affording the Applicant/Permittee an opportunity to be heard.

5-6-15 INDEMNIFICATION, REIMBURSEMENT AND HOLD HARMLESS

AGREEMENT

The application shall include an agreement in a form acceptable to the County by the Applicant, Owner or Operator to the Applicant to indemnify and hold harmless the County and the County's officers, Board members, agents and employees ("indemnitees") from and against any and all damages, costs, remediation, claims, demands, lawsuits, appeals, losses, attorneys' fees and expenses to the extent arising

out of or resulting from a permit authorizing the development, construction, building and operation of a WECS or WECS Project.

5-6-16 VARIANCE AND MODIFICATION

(a) Standards for Granting Variances

- (1) Where an Applicant demonstrates that a provision of this Ordinance would cause unnecessary hardship, delay or impediments to the development of a WECS Project if strictly adhered to, and where, in the opinion of the County Engineer and County Board, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provisions, the County Board may authorize a variance, if the variance complies with the following provisions:
 - i. The requested variance is required for the development, construction, operation or decommissioning of the WECS Project, and the failure to obtain the requested variance would result in a practical difficulty or unnecessary hardship for the Applicant;
 - ii. The granting of the requested variance will not be materially detrimental or injurious to any adjacent property;
 - iii. The granting of the requested variance will not violate the general spirit and intent of this Ordinance.
- (2) Any variance thus authorized is required to be entered in the minutes of the County Board meeting, and the reasoning on which the variance was justified must be described in the minutes as well.

(b) Application for Variance

- (1) An Applicant for a variance shall file a request for a variance with the County Clerk within at least 21 days prior to the next regularly-scheduled County Board meeting. The County Clerk shall place the Applicant's request on the agenda for the next County Board meeting.
- (2) The burden of proof shall rest with the Applicant to clearly establish that the requested variance satisfies the criteria for granting such a variance under this Ordinance.

- (c) Conditions – In granting a variance, the County Engineer and County Board may impose such conditions and restrictions upon the property benefiting from the variance as may be necessary to reduce or minimize any potentially negative impacts on any adjacent properties, and to carry out the general purpose of this Ordinance.

5-6-17 INTERPRETATION

The provisions of these regulations shall be held to the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare of County of Adams. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of the County of Adams nor conflict with any statutes of the State of Illinois, except that these regulations shall prevail in cases where these regulations impose a greater restriction than is provided by existing statutes, laws or regulations.

5-6-18 SEVERABILITY

If any section, paragraph, clause, phrase or part of this Ordinance is for any reason held invalid by any court or competent jurisdiction, such decision shall not affect the validity of the remaining provisions of these regulations, and the application of those provisions to any persons or circumstances shall not be affected thereby.

5-6-19 REPEAL

All ordinances and regulations and amendments thereto enacted and/or adopted by the County Board that are inconsistent with the provisions of this Ordinance are hereby repealed, as of the effective date of this Ordinance. The repeal of any prior ordinance or its amendments does not affect or impair any act done, offense committed or right accruing, accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

5-6-20 CERTIORARI PROCEDURE

In any decision by the County Board under this Ordinance, any person aggrieved may petition the Circuit Court of Adams County, Illinois, for a writ of certiorari as provided by law.

5-6-21 EFFECTIVE DATE

This Ordinance is an ordinance necessary for the health and safety of the people of Adams County, Illinois, and shall be in full force and effect from and after its passage.

(Ord. Num. 2010-01-052-007, as amended August 10, 2010)

ARTICLE VII – ADAMS COUNTY SOLAR FARM ORDINANCE

5-7-1 PURPOSE.

The purpose of this ordinance is to ensure that order is maintained in the development of solar farms in Adams County, while also ensuring the protection of the health, safety, and welfare of the residents of Adams County.

5-7-2 DEFINITIONS.

- (a) "Applicant" means the entity or person who submits an application for a solar farm to the County.
- (b) "County Board" means the Adams County Board.
- (c) "Operator" means the entity responsible for the day-to-day operation and maintenance of the solar farm, including any third party subcontractors.
- (d) "Owner" means the entity or entities with an equity interest in the solar farm, including their respective successors and assigns.
- (e) "Solar farm" means a commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the principal land use for the parcel on which it is located.

5-7-3 DESIGN STANDARDS.

- (a) Minimum Lot Size – No solar farm shall be erected on any lot less than 5 acres in size.
- (b) Setback Requirements – Ground mounted solar energy systems as part of a solar farm shall have a setback for all equipment, excluding fences, a minimum of fifty (50) feet from a property line or twenty-five (25) feet from a right-of-way. This requirement may be waived, provided the solar farm's owner/lessee obtains, and records with the Adams County Clerk, signed and notarized affidavits, agreeing that the required minimum setback be waived, from all property owners and affected road authorities adjoining the property line on which the solar farm is to be located. However, in no instance shall any part of a solar farm be located within fifty (50) feet of any of the aforementioned items.
- (c) Height – Systems, equipment and structures shall not exceed thirty (30) feet in height when ground mounted and oriented at maximum tilt. Excluded from this height requirement, however, are electric transmission lines and utility poles.
- (d) Fencing and Signage – Systems equipment and structures shall be fully enclosed and secured by a fence with a minimum height of eight (8) feet. If a vegetative buffer is to be part of the solar farm development, a landscape plan should be submitted for review and approval. An appropriate warning sign shall be provided at the entrance to the facility and along the perimeter of the solar farm project. The sign at the entrance shall include the facility's 911 address and a 24-hour emergency contact number.
- (e) Power and Communication Lines – Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by Adams County in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines. In addition, the Illinois Department of Agriculture (IDOA) has established standards and policies

in the Agricultural Impact Mitigation Agreements (AIMA) regarding the construction or burial of electric transmission lines which should be agreed to and adhered to between the landowner and developer.

- (f) Foundations – A qualified engineer licensed in the State of Illinois shall certify that the foundation and design of the solar panels is within accepted professional standards, given local soil and climate conditions.
- (g) Other Standards and Codes – All solar farms shall be in compliance with all applicable local, state and federal regulatory standards, including the National Electric Code, as amended.
- (h) Lighting – Any lighting shall be installed for security and safety purposes only, and shall be shielded so that no glare extends substantially beyond the boundaries of the facility.
- (i) Noise – Noise levels measured at the property line shall not exceed fifty (50) decibels when located adjacent to an existing residence.

5-7-4 APPLICATION.

Filing an Application – The applicant for a solar farm shall file twenty-five (25) copies of the application, including ten (10) full size copies of exhibits and fifteen (15) reduced size copies of all exhibits, with the Adams County Clerk, together with the appropriate application fee. The application shall include the following:

- (a) Site plan with existing conditions showing the following:
 - (1) Existing property lines and property lines extending one hundred (100) feet from the exterior boundaries, including the names of adjacent property owners and current use of those properties.
 - (2) Existing public and private roads, showing widths of the roads and any associated easements.
 - (3) Location and size of any abandoned wells or sewage treatment systems.
 - (4) Existing buildings and any impervious surfaces.
 - (5) A contour map showing topography at two (2) foot intervals. A contour map of surrounding properties may also be required.
 - (6) Existing vegetation (list type and percent coverage, i.e., cropland/plowed fields, grassland, wooded areas, etc.).
 - (7) Waterways, watercourses, lakes, and public water wetlands. Also any delineated wetland boundaries.
 - (8) A copy of the current FEMA FIRM map that shows the subject property, the one hundred year flood elevation and any regulated flood protection elevation, if available.
 - (9) Surface water drainage patterns.
 - (10) The location of any subsurface drainage tiles.
- (b) Site plan with proposed conditions showing the following:
 - (1) Location and spacing of solar panels.
 - (2) Location of access roads and access points.
 - (3) Planned location of underground or overhead electric lines connecting the solar farm to a building, substation or other electric load.
 - (4) New electrical equipment other than at the existing building or substation that is to be the connection point to the solar farm.

- (5) Sketch elevation of the premises accurately depicting proposed solar energy conversion system and its relationship to structure on adjacent land.
- (c) A preliminary map and plan showing the roads and right-of-ways that will be utilized for both the construction and operation of the solar farm. The applicant shall submit an executed agreement between the solar farm owner/operator and all road district authorities with infrastructure affected by the solar farm to the County. This agreement shall include, at a minimum:
 - (1) A final map identifying the routes that will be used.
 - (2) A plan for repairing and/or restoring the affected roads.
 - (3) Other inclusions as specified by the County Board or affected road authority.
- (d) Manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems and foundations for poles or racks.
- (e) An itemized cost estimate for the entire construction of the project.
- (f) A description of the method of connecting the array to a building or substation.
- (g) An interconnection agreement must be completed with the electric utility in whose service territory the system is located. Off-grid systems are exempt from this requirement.
- (h) Decommissioning Plan – A decommissioning plan shall be required to ensure that solar farm facilities are properly removed after their useful life.
 - (1) Decommissioning of solar panels must occur in the event they are not in use for twelve (12) consecutive months.
 - (2) The owner/operator will have six (6) months to complete the decommissioning plan after operation of a solar farm stops being operational, or the County will take the necessary decommission steps.
 - (3) The plan shall include provisions for removal of all structures (including equipment, fencing and roads) and foundations, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site.
 - (4) The Adams County Board may require the posting of a bond, letter of credit or establishment of an escrow account to ensure the proper decommissioning. The posting of a bond may be required prior to the issuance of a solar farm permit for the facility.
 - (5) Adams County reserves the right to require additional information or components to the plan as the county deems necessary to ensure that an adequate proposal is in place to decommission the facility in its entirety and that adequate funds are available. In the event that the State of Illinois enacts a law with regards to the decommissioning of a solar farm, the strictest requirements shall prevail.
- (i) Complaint Resolution – The Applicant shall develop a process to resolve any complaints that may arise from neighboring property owners during the construction and operation of the solar farm. The process shall use an independent mediator and shall include a time limit for acting on a complaint that is received. The process shall not preclude the local government from acting on a complaint. The Applicant shall provide to the nearby residents a toll-free phone number for complaints during the construction of the facility if a problem should arise.

Applicant will respond to all complaints from persons directly affected by the solar farm project within 48 hours, will attempt to resolve all complaints in a prompt and responsible manner, will keep a log of all complaints and the method of resolution, will make the log available to the

County, and will agree to participate in a non-binding mediation for complaints that are not resolved with the cost of such to be paid directly by the Applicant.

5-7-5 APPLICABLE FEES.

Upon submittal of the application for a solar farm, the Applicant shall submit a non-refundable filing fee of \$5,000 that will be utilized to review and assess the application. Should the actual costs to the County exceed \$5,000, the Applicant shall be responsible for those additional costs, including, but not limited to the costs of outside attorneys, hearing officer, and consultants (e.g. noise engineers, traffic engineers, and environmental consultants), and shall remit additional funds to the County within 15 days of receipt of request from the County.

(a) County Clerk Responsibilities:

- (1) Accept and date stamp the application as filed. The date stamp of the County Clerk should be considered the official filing date for all time purposes. Receipt and acceptance of an application by the County Clerk is pro forma, and does not constitute an acknowledgment that the Applicant has complied with the County ordinance.
- (2) The County Clerk shall forward the application to the County Engineer for a determination of completeness.
- (3) The County Clerk shall make available a copy of the application and public record concerning the application for public inspection during the normal business hours of the County offices. Additionally, the County Clerk shall provide to any person so requesting, copies of the application or the public record, upon payment by such persons for the actual cost of reproduction.

5-7-6 PUBLIC HEARING

After the filing of an application the County Engineer shall make a preliminary determination of completeness of the application. If, in the County Engineer's opinion, the application has addressed the required elements of an application, it will be forwarded to the Transportation, Building and Technology Committee and the County Board to conduct a public hearing on the application. If the application is incomplete, the Applicant will be notified and the application will not proceed to hearing unless good cause is shown for the incompleteness.

- (a) Notice – The Applicant must provide a complete list of all properties adjacent to a proposed solar farm. The Applicant shall have a notice issued to every owner of those properties by certified mail, registered mail, or personal service at the last known address of such owner of a property as identified by the County tax records. The notice will identify the nature of the proposed use and the date that a public hearing shall occur on the proposed use in front of the County Board, and that any person may file an appearance to participate in that hearing and present witnesses at least five (5) days before the hearing commencement date. Those notices must be served at least fifteen (15) days before the public hearing. The Applicant shall provide evidence of notification or evidence of a “good faith” effort to contact the property owner prior to the hearing if requested by the County. The hearing notice shall also be published in a circulation of general publication at least three (3) times before the hearing commences with the first publication occurring at least thirty (30) days before the hearing and at least one publication occurring between seven (7) and fifteen (15) days before the hearing commences.

- (b) Hearing Officer – The County Board will appoint a hearing officer to preside over the solar farm hearing. The hearing officer shall preside over the public hearing; establish a record of the proceedings using a certified court reporter, make decisions concerning the admission of the evidence and the manner in which the hearing is conducted. The County Board may request that the hearing officer draft a recommendation and proposed findings. At the commencement of the hearing people wishing to provide sworn testimony or unsworn public comment will be identified by a sign in sheet.
- (c) Entering an Appearance at Hearing and Submitting Exhibits – The hearing officer, any County Transportation, Building and Technology Committee member, and any person who enters an appearance with the County at least seven (7) days before the hearing will have the opportunity to question witnesses. Members of the public who do not enter an appearance at least seven (7) days before the hearing may submit their questions for witnesses to the hearing officer who at his or her discretion may ask them of the witness. Any person or persons may appear at the hearing through an attorney licensed in Illinois. Any person offering sworn testimony will be subject to questioning. People offering public comment only without being sworn in will not be subjected to questioning. At least five (5) copies of any exhibits which will be used in testimony or questioning must be furnished by the person offering such exhibit.

If the hearing officer is requested by the Transportation, Building and Technology Committee to make a recommendation and proposed findings such shall be provided within three (3) business days of the completion of the hearing and submitted to the Transportation, Building and Technology Committee.

- (d) Committee and Board Action – The Transportation, Building and Technology Committee will consider the following facts:
 - (1) Whether the application and proposed solar farm project substantially complies with the solar farm ordinance.
 - (2) Whether the proposed solar farm project is sufficiently protective of the public health, safety and welfare of the residents of Adams County.

Within 10 days of conclusion of the hearing, the Transportation, Building and Technology Committee shall tender its findings and recommendations to the County Board. The committee may recommend approval, approval with request for additional information or clarification, approval with conditions, or denial. Within thirty (30) days of the conclusion of the public hearing the County Board will meet in public session and render its decision. The County Board may approve, approve with conditions, or deny the application.

- (e) Refiling – Any Applicant, owner or operator whose solar farm project application is denied may not refile a substantially similar application for one year. If the County Engineer determines an application is substantially similar to one the Applicant filed within one year it will not be forwarded to the Transportation, Building and Technology Committee or the County Board for review.

5-7-7 LIABILITY INSURANCE.

The owner/operator of the solar farm shall maintain a current general liability policy covering bodily injury and property damage with limits of at least \$3 million per occurrence and \$5 million in the aggregate. The County shall be named as an individual insured on the policy to the extent the County is entitled to indemnification.

5-7-8 EFFECTIVE DATE.

This Ordinance is an ordinance necessary for the health and safety of the people of Adams County, Illinois, and shall be in full force and effect from and after its passage.

Ord. Num. 2018-09-001-016

CHAPTER 6: EMPLOYEES

ARTICLE I – SEXUAL HARASSMENT POLICY

6-1-1 STATEMENT OF POLICY

It is the policy of Adams County to provide a work environment free of sexual harassment. Adams County complies with the State of Illinois Public Act 100-0554 that requires governmental units to adopt a sexual harassment policy by either an ordinance or resolution, that complies with the law's new requirements. Adams County has adopted such Resolution (see link below).

[Adams County Anti-Harassment Policy – Resolution #2018-01-001-002](#)

ARTICLE II – EMPLOYEE HANDBOOK

6-2-1 ADAMS COUNTY EMPLOYEE HANDBOOK

The Adams County Board adopted the Adams County Employee Handbook effective January 1, 2020 as the County's personnel policies and shall be applicable to all employees, appointed and elected officials, unless preempted by state or federal law or in conflict with an existing employment contract or collective bargaining agreement.

(Res. Num. 2019-10-001-024)

6-2-2 SUPPLEMENT TO ADAMS COUNTY HANDBOOK

The Adams County Board adopted the Adams County Employee Handbook Supplement as the County's non-union personnel policies and shall be applicable to all employees, unless preempted by state or federal law or in conflict with an existing employment contract or collective bargaining agreement.

(Res. Num. 2019-12-001-030)