

**ORDINANCE NO. 2016:16**

**AN ORDINANCE TO AMEND CHAPTER X OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "BUILDING AND HOUSING" AMENDING SECTION 10-2 ENTITLED "HOUSING CODE" TO REVISE SECTION 10-2.79, "SOLAR PANEL INSTALLATION"**

**WHEREAS**, Section 10-2.79 of the Revised General Ordinances of the Borough of New Milford established requirements for the installation of solar panels within the Borough of New Milford; and

**WHEREAS**, the Mayor and Council of the Borough of New Milford desire to amend said Ordinance;

**BE IT ORDAINED**, by the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey, Section 10-2.79, Solar Panel Installation, is hereby amended as follows:

The definition of Solar Energy System (Section 10-2.79) shall read as follows:

**Solar energy system-** a solar energy system and all associated equipment which converts solar energy into usable electrical energy, heats water or produces hot air or other similar function through the use of solar panels, solar shingles or similar technology. This definition shall exclude mounted ground systems.

§10.279 D (i.) shall read as follows:

Solar panels shall be permitted as a rooftop installation in any zoning district. A roof-mounted system may be mounted on a principal building.

§10.279 D (v.) shall be removed.

§10.279 D (xii.) shall be removed.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.