

AN ORDINANCE PROVIDING FOR THE PLACEMENT OF DC POWER LINES

23-07- "O"

WHEREAS 55 ILCS 5-12, grants authority to County Boards to regulate and restrict location and use of structures for the purpose of promoting the public health, safety, morals, comfort, and general welfare; and

WHEREAS, to assure that any development, production, and /or installation of DC Power Lines in Shelby County, Illinois is safe and effective subject to reasonable regulations intended to preserve the public health; and

WHEREAS, to promote the safety of farming ground with power lines and protect the property values of the residents; and

WHEREAS, to prevent fire hazards and power outages due to downed power lines as buried power lines protect the lines from wind, ice, and tree damage; and

WHEREAS, The Shelby County Legislative committee proposes this ordinance to the County Board of Shelby County for the reasonable regulation of DC Power Lines.

This ordinance shall be known, cited, and referred to as the Shelby County DC Power Line Ordinance.

A: DEFINITIONS

1. Applicant – means the entity or person who submits to the County, pursuant to this Ordinance, an application to install DC Power Lines with Shelby County..
2. Direct Current (DC) Power – refers to the unidirectional flow of electrons and is the form of power that is most commonly produced by sources such as solar cells and batteries.
3. County Board – means the Shelby County Board
4. Owner – means the entity or entities with an equity interest in the DC Power Line including their respective successors and assigns. Owner does not mean.
 - i. The property owner from whom land is leased for locating the DC Power line (unless the property owner has an equity interest in said DC Power Line); or
 - ii. Any person holding a security interest in the DC Power Line solely to secure and extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the DC Power Line at the earliest practicable date.

5. Engineer – means a qualified individual who is licensed as a professional engineer in any state in the United States.
6. Line – means those electrical power lines that carry Direct Current (DC) Power.

B. APPLICABILITY

1. This Ordinance governs the installation of Direct Current (DC) Power Lines in unincorporated areas of Shelby County, Illinois.

C. PROHIBITION

1. No DC Lines governed by this Ordinance shall be constructed, installed, or located within unincorporated areas of Shelby County, unless prior siting approval has been obtained for each individual DC Power Line pursuant to this Ordinance.

D. SITING APPROVAL APPLICATION

1. To obtain siting approval, the Applicant must first submit a siting approval application to the Shelby County Clerk. The Shelby County Board Chairman shall review the application and determine whether it is complete prior to any hearing before the Shelby County Board.
2. The application shall contain or be accompanied by the following information.
 - i. A DC Power Line Installation Project Summary, including, to the extent available:
 - a) A General Description of the project including approximate overall name plate generating capacity.
 - b) Potential equipment manufacturers.
 - c) Type(s) of DC Power Lines.
 - d) Number of DC Power Lines.
 - e) Maximum diameter of the DC Power Lines.
 - f) The General Location of the project.
 - g) A Description of the Applicant, Owner, and installer including their respective business structures.
 - ii. The names, addresses, and phone numbers of the Applicant(s), Owners, and Installers, and all property owners, if known, and documentation demonstrating land ownership or legal control of the property.
 - iii. A site plan for the installation of the DC Power Lines showing the planned location of each Line, including legal description of each site, Primary Structures, property lines including identification or adjoining properties, setback lines, public access roads, and turnout locations.

- iv. All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this ordinance: and Certification by the applicant of compliance with all federal and state laws, regulations, and requirements.
 - v. Submission of an electronic map indicating the location of all parcels included in the project, including PIN and owner name, and showing each DC Power Line location and appurtenance upon those parcels, along with a hard copy of such map.
 - vi. Any other information normally required by the County as part of its permitting requirements for siting building or other structures.
3. The Applicant shall notify the County of any changes to the information provided in the application process described above that occur while the siting approval application is pending, provided that material changes to the application shall not be allowed. Shelby County, at its sole discretion, shall determine whether the change in the application is material.

E. DESIGN AND INSTALLATION

1. Electrical Components

- i. Insulation and burial specifications shall be approved by a third-party engineer approved by the Shelby County Board. The applicant shall be responsible for all expenses of the third-party engineer.
- ii. All components of the DC Power Line(s) shall conform to applicable local, state, and national codes, and relevant national and international codes. All DC Power Lines(s) wiring shall be insulated and buried underground to a depth of at least 5 feet underground unless further depth is determined by a third-party engineer.

BE IT FINALLY ORDAINED, that the Board reserves the express right to change, modify or terminate these regulations and procedures at any time, in whole or in part, for any reason, with or without prior notice upon its own unilateral act.

This Ordinance shall become effective immediately upon passage from the Shelby County Board.

PRESENTED, APPROVED, AND ADOPTED, by the County Board of the County of Shelby, Illinois at a regular meeting thereof held on the 12th day of Oct., 2023.



Chairman,
Shelby County Board,
Shelby County, Illinois

Certification:



Jessica Fox

Shelby County Clerk and Recorder