

# Town of Harrington

## Solar Energy Ordinance

**Synopsis:** Ordinance to allow solar energy in the Town of Harrington for personal residential and personal commercial use only for businesses located within the confines of the Town of Harrington. Solar projects are subject to setbacks, height, screening, maintenance, safety, and decommissioning requirements and will need Planning Board approval. Utility-scale solar farms are strictly prohibited. Net metering is permitted for eligible systems.

Whereas the Town of Harrington deems it in the best interest of its citizens to enact a Solar Energy Ordinance.

Now Therefore the Town of Harrington does ordain as follows:

### **Section 1. Title**

This ordinance shall be known and may be cited as the “Solar Energy Ordinance.”

### **Section 2. Purpose**

The purpose of this Ordinance is to allow solar energy for personal residential or personal business distribution only in the Town of Harrington, subject to setbacks, height, screening, maintenance, safety, and decommissioning requirements and will need Planning Board approval. Utility-scale solar farms are prohibited. Net metering is allowed for eligible systems.

### **Section 3. Applicability**

- A. This Ordinance shall apply to personal residential or personal commercial use Solar Energy Systems not to be distributed into the power grid for profit, applications filed with the Planning Board after March 9, 2026.
- B. This Ordinance shall authorize personal residential ground mounted and personal residential roof mounted solar energy systems, not to be distributed into the power grid for profit, to be installed in the Town of Harrington.
- C. This Ordinance shall authorize personal commercial ground mounted and personal commercial roof mounted solar energy systems, not to be distributed into the power grid for profit, to be installed in the Town of Harrington.

### **Section 4. Definitions**

**Solar Energy Systems:** a facility whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

**Ground Mounted Solar Energy Systems:** For purposes of this Ordinance, a solar energy system that is structurally mounted to the ground on a residential or business property. These systems must not exceed

2,500 square feet of total projected airspace over the ground and are intended for personal residential or personal commercial use only.

**Roof Mounted Solar Energy Systems:** For purposes of this Ordinance: A Solar Energy System mounted either on a Residential roof or a business roof. These systems are not required to have a building permit.

**Personal Commercial Solar Energy System:** A solar installation serving a business located within the Town of Harrington that is designed to supply energy for business use. Net metering is permitted for energy offset but no profit may be derived.

**Utility-Scale Solar Farm:** A solar energy system designed to supply power directly to the electrical grid for commercial profit.

**Distribution of Power:** Energy produced in personal residential or personal business solar systems may be distributed into the power grid through net metering but may not generate a profit.

**Profit:** Any financial gain derived from the sale or transfer of electricity beyond the value of electricity consumed on-site or credited under a net metering arrangement authorized by state law. Participation in net metering programs as defined by the Maine Public Utilities Commission shall not be considered profit.

## **Section 5. Dimensional Requirements**

- A. Ground Mounted Solar Energy Systems will not exceed 25 feet in height.
- B. Minimum setbacks shall be 25 feet from all property lines. Setbacks from town roads are 45 feet and 70 feet from state roads. No setback requirements for Roof Mounted Solar Systems.
- C. Ground Mounted Solar Energy Systems shall not exceed 2,500 square feet of total projected airspace over the ground, as defined in Section 4.

## **Section 6. Screening, Security, Maintenance and Regulatory Compliance**

- A. All Ground Mounted Solar Energy Systems permitted under this Ordinance shall be maintained in a safe and orderly condition. Maintenance shall include, but not be limited to, vegetation control, upkeep of structural elements, and general appearance.
- B. Ground Mounted Solar Energy Systems shall be reasonably screened from public roads and neighboring properties through landscaping, fencing, or natural topographical features, as determined appropriate by the Planning Board during site plan review.
- C. All Solar Energy Systems must be constructed and operated in compliance with applicable Federal, State, and Local laws, regulations, and ordinances.
- D. Roof Mounted Solar Energy Systems are exempt from screening requirements.

## **Section 7. Decommissioning of Removal**

- A. Any Ground Mounted Solar Energy System that is no longer operational or has ceased generating power for a continuous period of one year shall be removed by the owner. The owner shall restore the site to a condition reasonably consistent with its original state.

- B. Upon written request, the Code Enforcement Officer may allow the owner to leave certain below-grade components or landscaping in place to avoid unnecessary site disruption.
- C. In the event that an owner fails to remove a system as required, the Town of Harrington may pursue enforcement action under Section 11 of this Ordinance.

**Section 8. Legislative Findings and Intent**

The Town of Harrington adopts this Solar Energy Ordinance in accordance with its home rule authority and zoning powers under 30-A.M.R.S. §3001 and §4352. The Town finds that:

- A. **Preservation of Rural Character:** Harrington is a small rural community with agricultural, forestry, and low-density residential land uses that are central to its character and economy. The Town seeks to preserve this rural character and prevent industrial encroachment incompatible with community values.
- B. **Support for Renewable Energy:** The Town supports the responsible development of renewable energy for personal residential and business use. This ordinance is not intended to obstruct Maine’s climate goals, but to ensure that solar development aligns with local land use priorities.
- C. **Scale and Compatability:** Large-scale ground-mounted solar farms, often exceeding several acres, would significantly alter the visual and environmental landscape. By limiting ground-mounted systems to 2,500 square feet of projected airspace, the Town ensures compatibility with neighborhood aesthetics, open space, and traditional land uses.
- D. **Infrastructure and Safety:** Utility-scale systems may require grid upgrades, access roads, heavy equipment, and security fencing, all of which can impose burdens on municipal infrastructure and raise safety concerns that are not present with smaller-scale systems.
- E. **Property Rights and Economic Use:** This Ordinance allows for reasonable use of private property through personal and business solar installations, including the ability to participate in net metering programs consistent with Maine law. The ordinance does not prevent all solar development, but regulates the size and use of systems to protect public health, safety, and welfare.

**Section 9. Authority**

This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution, provisions of 30-A M.R.S. §3001, Ordinance Power, and the provisions of 30-A M.R.S. §4352, Zoning.

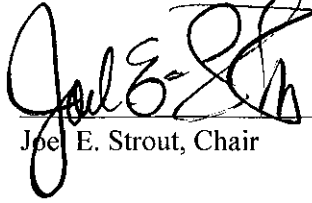
**Section 10. Effective Date and Duration**

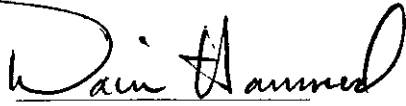
This Ordinance shall take effect on March 9, 2026 upon enactment by the Town of Harrington unless otherwise provided and shall remain in effect until it is amended or repealed.

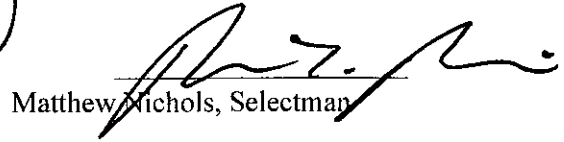
**Section 11. Enforcement Violations and Penalties**

This Ordinance shall be enforced by the municipal officers or their designee. Violation of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A, M.R.S. §4452, Enforcement of Land Use Laws and Ordinances.

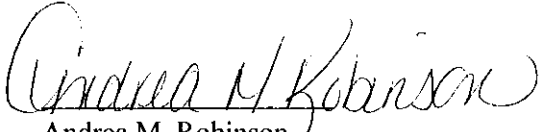
This ordinance shall be effective on its adoption at Annual Town Meeting on March 09, 2026.

  
Joe E. Strout, Chair

  
Darin Hammond, Selectman

  
Matthew Nichols, Selectman

Attest: A true copy of an ordinance entitled "Town of Harrington, Solar Energy Ordinance" as certified to me by the municipal officers of the Town of Harrington on the 24<sup>th</sup> day of March 2026.

  
Andrea M. Robinson  
Clerk, Town of Harrington