
VILLAGE OF SUGAR GROVE BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: DANIELLE MARION, PLANNING & ZONING ADMINISTRATOR
SUBJECT: ORDINANCE: ZONING ORDINANCE AMENDMENT, SOLAR REQUIREMENTS
AGENDA: SEPTEMBER 17, 2024 VILLAGE BOARD MEETING
DATE: SEPTEMBER 12, 2024

ISSUE

Shall the Village Board approve an amendment of the Zoning Ordinance that will add an alternative certification for solar companies for solar permits as an alternative to the NABCEP PV Installation Professional certification.

DISCUSSION

The Village Board initially adopted the NABCEP PV Installation Professional certification requirement in May of 2023 following the recommendation of PC23-002. Since that time, the Village has received a number of requests to allow for an alternative to this requirement and proposed the Illinois Commerce Certification as a secondary option. The Village Board discussed this matter at its August 20, 2024 meeting and directed staff to provide more details on the requirements to obtain a NABCEP PV Installation Professional certification and the Illinois Commerce Certification. Because the State of Illinois has already established a certification process set forth in the Illinois Administrative Code, staff recommends the Village's requirements be aligned.

NABCEP PV Installation Professional Certification:

Eligibility Requirements:

- Be at least 18 years of age
- Meet prerequisites of related experience and education as outlined below

Experience Requirements:

All systems submitted with an application must meet the following minimum criteria:

- The Applicant shall have performed in a decision-making role (DMR), which had a material impact on the quality and serviceability of the PV installation. This may include individuals employed as Lead Installers, System Designers, Project Managers, Site Managers, Foreman, Electricians, System Engineers, and Quality Assurance/Commissioning agents. Due to the variety of decision-making roles that may be involved with any particular system installation, more than one person may qualify for each system; however, each Applicant must document their specific role and level of responsibility for each installation.
- Installations must have been completed within the two (2) calendar years prior to the application submission date.
- All installations must be complete and have a permit and a final approved inspection.
- All systems must have a minimum rating of 1 kW DC (STC).

Qualifying for the Examination:

NABCEP recognizes that professionals in the field of renewable energy and energy-efficient technologies receive their training and work experiences in a variety of ways. NABCEP Staff will review each application to determine compliance with eligibility criteria. SECTION 3 Student Handbook Updated 2022 7 To qualify to sit for the NABCEP PV Installation Professional (PVIP) Certification Examination, every Applicant, regardless of background, education, experience, or geographical location, will need to document:

- Completion of a minimum of 10 hours of OSHA Outreach Training Program for the Construction Industry training (or government equivalent); AND
- Completion of at least 58 hours of advanced training as defined in Section 3.5.2 below (Note: These hours of training do not need to be in addition to apprenticeship or degree coursework if the requirements of Section 3.5.2 were met within the curriculum and timeframe); AND
- Completion of installations equaling at least 6 Project Credits Projects Credits are as follows: System size of 1 – 999kW = 2 Project Credits System size of 1MW and up = 3 Project Credits
- Complete an application form documenting all requirements
- Sign and agree to uphold the NABCEP Code of Ethics
- Pay Application and Examination Fees to NABCEP
- Pass a written examination
- Once Board Certified, complete continuing education and experience requirements, submit a recertification application, and pay a recertification fee, within the three year recertification timeframe.

Illinois Commerce Commission Certification :

The Illinois Commerce Commission requires renewable energy installers to be certified by the State of Illinois. The Illinois Administrative Code establishes application procedures, certification requirements, compliant procedures, and provides for Commission oversight. The State accepts the NABCEP Certification as one option for ICC certification. However, the ICC provides alternative pathways as well. All ICC certified entities must be registered with the State and meet the requirements of the Illinois Administrative Code. The ICC also requires its certificate holders to engage in annual recertification and reporting.Certification Requirements:

An applicant shall be certified if its application satisfies the following requirements:

- The applicant certifies that it will remain in compliance with all applicable laws and regulations and Commission rules and orders, including, but not limited to, the requirements of Sections 16-128(a) and 16-128A of the Act and this Part.
- The applicant certifies that it will ensure that its employees, agents or contractors, or the employees, agents or contractors of any entity, agent or contractor with which it has contracted to perform those functions within the State of Illinois, shall:
 - Comply with applicable building and electrical codes, including those contained in the NEC;
 - Comply with the distributed generation facility manufacturer's installation instructions;
 - Install only distributed generation facilities that meet recognized industry standards; and
 - Ensure that all obligations required under this Part and Sections 16-128(a) and 16-128A of the Act are met prior to placing into, or returning into, use any distributed generation facility that the certificate holder installed.

- The applicant certifies that it will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.
- The applicant certifies that every installation of a distributed generation facility will be performed only by:
 - a qualified person; or
 A qualified person is defined as: *"Qualified person" means a person who performs installations on behalf of the certificate holder and who has either satisfactorily completed at least five installations of a specific distributed generation technology or has completed at least one of the following programs requiring lab or field work and received a certification of satisfactory completion: an apprenticeship as a journeyman electrician from a DOL registered electrical apprenticeship and training program; a North American Board of Certified Energy Practitioners (NABCEP) distributed generation technology certification program; an Underwriters Laboratories (UL) distributed generation technology certification program; an Electronics Technicians Association (ETA) distributed generation technology certification program; or an Associate in Applied Science degree from an Illinois Community College Board approved community college program in the appropriate distributed generation technology. To be considered a "qualified person", the experience and/or training relied upon must be with the same type of distributed generation technology for which the qualification status is sought.*
 - an electrical contractor who is not a qualified person, provided he/she is directly supervised by a qualified person; or
 - a person who is not a qualified person but is enrolled in a training program that, upon satisfactory completion, will meet the requirement to become a qualified person provided he/she is directly supervised by a qualified person.
 Directly supervised is defined as: *"Directly supervised" means that there is a person on-site who meets the qualifications to perform distributed generation (DG) installations who is available for consultation and review of work performed by apprentices or electrical contractors who may be performing installations.*
- The applicant certifies that it is licensed to do business in the State of Illinois.

ATTACHMENTS

- Ordinance Amending the Village Code Section 11-4-21-3-a-(3) – Solar Energy Systems, to add “or solar company shall provide proof of their Illinois Commerce Commission Solar Certification” to the end of the sentence.

RECOMMENDATION

A vote by the Planning Commission to recommend failed, triggering a 3/5 majority vote of the Village Board.

However, for the reasons set forth in this report, staff continues to recommend that the Village Board approve the Ordinance Amending the Village Code Title 11, Zoning Regulations to add an alternative certification for solar companies for solar permits that are consistent with ICC standards.



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

ORDINANCE NO. 2024-0917_

**AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS
(SOLAR INSTALLER QUALIFICATIONS)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 17th day of September 2024

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove, Illinois
this 17th day of September 2024

ORDINANCE NO. 2024-0917_

**AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS
(SOLAR INSTALLER QUALIFICATIONS)**

WHEREAS, the Village of Sugar Grove (the “Village”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village currently maintains zoning regulations governing the use and improvement of land within the Village; and,

WHEREAS, the Village finds that such restrictions provide for the safety and well-being of Village inhabitants and benefit the public welfare, safety and morals; and,

WHEREAS, the Village seeks to continue to promote these interests, and seeks to amend the Village Code to more fully protect and preserve the safety and well-being of such inhabitants; and,

WHEREAS, from time to time, it is necessary and desirable to modify the zoning regulations in response to changes in community attitudes, technology, development and the law; and,

WHEREAS, after due notice the Planning Commission held a public hearing concerning the proposed amendments on July 17, 2024, and no objectors were present; and

WHEREAS, the Planning Commission Recommendation PC24-08 failed by a vote of 3-4.

WHEREAS, the Village Board does not concur with the Planning Commission’s recommendation.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: Zoning Ordinance amendment

Title 11 (Zoning Ordinance) of the Village Code of Ordinances be amended as provided in Exhibit A, attached hereto and made a part hereof by this reference.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 17th day of September 2024.

ATTEST:

Jennifer Konen,
President of the Board of Trustees

Tracey Conti,
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Matthew Bonnie	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Sean Michels	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Trustee James White	_____	_____	_____	_____

EXHIBIT A

11-4-21: SOLAR ENERGY SYSTEMS:

- A. Level 1 solar energy system shall be a permitted accessory use as indicated in the table in section 11-4-7 of this chapter subject to the following provisions:

3. General Requirements For Level I Solar Energy System:

a. Building Permit: A level 1 solar energy system requires a valid building permit prior to installation. Permit application shall include the following:

(1) Plat of survey or scaled dimensioned drawing of the zoning lot indicating all buildings on the lot and the proposed location of the level 1 solar energy system.

(2) If the system is to be building mounted, a scaled, dimensioned building elevation plan depicting the existing conditions and the proposed level 1 solar energy system. If the system is to be ground mounted, a scaled, dimensioned elevation drawing of the system.

(3) Detailed installation drawings and specifications for the system. Plans shall be stamped by a NABCEP PV Installation Professional or solar company shall provide proof of their Illinois Commerce Commission Solar Certification.