

TOWN OF WARREN  
ST. CROIX COUNTY, WISCONSIN

ORDINANCE NO. 2025 - 09-15

AN ORDINANCE TO REGULATE THE INSTALLATION AND USE OF SMALL-SCALE  
SOLAR ENERGY SYSTEMS IN THE TOWN OF WARREN, ST. CROIX COUNTY,  
WISCONSIN

The Town Board of the Town of Warren, St. Croix County, Wisconsin, hereby ordains as follows:

1. **Title, Purpose, & Authority.** The title of this Ordinance is the “Town of Warren Solar Energy Ordinance.” In accordance with Wis. Stat. § 66.0401, the Town Board adopts this ordinance regulating the installation and use of small-scale solar energy systems in the Town of Warren, St. Croix County, Wisconsin (the “Town”). For purposes of this ordinance, “small-scale solar energy systems” means solar energy projects which are less than 100 megawatts in size. The Town acknowledges the preemption under state law for the regulation of solar energy systems and acknowledges that any restrictions imposed by this Ordinance shall only be imposed if they either (1) serve to preserve or protect the public health or safety; (2) do not significantly increase the cost of the system or significantly decrease its efficiency; or (3) allow for an alternative system of comparable cost and efficiency. The Town’s purpose for this ordinance is to, within the limited authority granted to the Town, establish regulations for the installation and use of small-scale solar energy systems to preserve and protect public health and safety.
2. **Solar Energy Permit Required.** No person may construct a small-scale solar energy system in the Town or expand an existing or previously approved small-scale solar energy system within the Town without first obtaining a Solar Energy Permit from the Town.
3. **Solar Energy Permit Application and Fees.** Any person desiring to construct or expand a small-scale solar energy system within the Town must submit an application for a permit to the Town Clerk. There shall be no fee for submitting such application. The application must include the following:
  - a. The application form provided by the Town Clerk;
  - b. A detailed site plan for the small-scale solar energy system;
  - c. A detailed operations plan specifying, at a minimum, the construction, operations, and decommissioning of the small-scale solar energy system and the timelines for such activities;
  - d. Name and contact information for the owner(s) of the land upon which the small-scale solar energy system is to be constructed; and
  - e. Name and contact information for the operator(s) of the small-scale energy system, if different than the owner(s).

Collectively, the application form, site plan, operations plan, and owner and operator information shall be referred to as the “Complete Application”. By submitting an application, the applicant is authorizing the Town’s officials, employees, and agents to enter the property upon which the small-scale solar energy system will be placed or expanded to obtain information required for the review of the Complete Application.

4. **Solar Energy Permit Application Review and Consideration.**

- a. Within 45 calendar days of receipt of an application, the Town Clerk shall notify the applicant whether the application is a Complete Application. If the Town Clerk determines that the application is incomplete, the notice shall state the reasons for that determination. An applicant may supplement and refile an application that the Town Clerk has determined to be incomplete. There is no limit on the number of times that an applicant may refile an application for approval. If the Town Clerk fails to determine whether an application is complete within 45 calendar days after the application is filed, the application shall be considered to be complete.
  - b. As soon as possible after receiving the Complete Application, the Town Clerk shall publish a class 1 notice, under Wis. Stat. Ch. 985, stating that a Complete Application for approval has been filed with the Town and that a public hearing will be held regarding the same within 90 calendar days of notification to the applicant that the application is complete.
  - c. After holding the public hearing, the Town Board shall approve or deny the permit based on the requirements of this Ordinance and state law and regulations. The Town Board may also place reasonable conditions on approval of the permit so long as such conditions meet the requirements of Wis. Stat. § 66.0401(1m). If the Town Board fails to act within the 90 calendar days, or within any extended period pursuant to Wis. Stat. § 66.0401(4)(e), the application is considered approved.
  - d. The Town shall make a record of its decision making on the application, including a recording of any public hearing, copies of documents submitted at any public hearing, and copies of any other documents provided to the Town in connection with the applications for approval. The Town's record shall conform to Wis. Stat. § 196.378(4g)(c)3.
  - e. The Town shall base its decision on written findings of fact that are supported by the evidence in the record.
5. **Expiration of Solar Energy Permit.** Work to be done pursuant to a Solar Energy Permit issued under this Ordinance must be commenced within six months of the date of issuance or the Solar Energy Permit shall expire. All work to be done pursuant to the Solar Energy Permit must be completed within two years of the date of issuance. These time periods may be extended for good cause shown for an additional limited time period upon written application for such extension to the Town Clerk and approval from the Town Board.
6. **Building Permit Required.** No person may construct a small-scale solar energy system in the Town or expand an existing or previously approved small-scale solar energy system within the Town without first obtaining a building permit from the Town in accordance with the Town's ordinances.
7. **Compliance with Laws.** No Solar Energy Permit or building permit shall be issued for a small-scale solar energy system until a determination has been made by the Town Board and the Town Building Inspector that the propose small-scale solar energy system complies with applicable laws and regulations of the Town, St. Croix County, and the State of Wisconsin. All construction must comply with the Solar Energy Permit and building permit as well as all applicable laws and regulations of the Town, St. Croix County, and the State of Wisconsin.

8. **Option for Development Agreement.** The Town and any person seeking to construct or expand a small-scale solar energy system may enter into an agreement for the development of such small-scale solar energy system that is different than the terms of this Ordinance.
9. **Appeal.** Any person feeling aggrieved by an order or a determination on the Solar Energy Permit may appeal from such order or determination to the Town Board by written application to the Town Clerk explaining the reasons for their appeal. Those procedures customarily used to effectuate an appeal to the Town Board shall apply, and the appellant shall be provided with due process.
10. **Severability.** If a court of competent jurisdiction judges any section, clause, provision, or portion of this Ordinance unconstitutional or invalid, the remainder of this Ordinance shall remain in force and not be affected by such judgment.
11. **Violation and Penalties.** The enforcement of this Ordinance shall be by means of withholding or revoking Solar Energy Permits and building permits, imposing forfeitures, seeking injunctive action, or any other penalties and remedies available at law or equity. Forfeitures shall not be \$500.00 for each day of noncompliance.
12. **Effective Date.** This Ordinance shall be effective the day after posting or publication by the Town Clerk. The Town Clerk shall properly post or publish this Ordinance as required under Wis. Stat. § 60.80.

Adopted by the Town Board on Sept. 17, 2025.

TOWN OF WARREN

By:

Gene Hanson  
Gene Hanson, Chairman

Attest:

Deina Shirmer  
Deina Shirmer, Town Clerk

Published: Sept. 18, 2025