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**THE CITY OF ASSUMPTION**

**CHRISTIAN COUNTY, ILLINOIS**

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ORDINANCE NO. 812

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**AN ORDINANCE APPROVING ASSUMPTION CITY CODE TEXT AMENDMENT TO  
PROHIBIT COMMERCIAL SOLAR DEVELOPMENTS WITHIN CITY ZONING  
JURISDICTION, INCLUDING A HALF MUNICIPAL BORDER SETBACK**

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DEREK PAGE, Mayor  
JANET WALLER, City Clerk

ROSS WORKMAN  
GARY NELSEN  
SELENA REED  
KANDY SMITH  
TRAVIS SULLIVAN  
DONNY WALDEN  
City Aldermen

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PASSED BY THE CITY COUNCIL  
OF THE CITY OF ASSUMPTION, ILLINOIS  
ON THE 3 DAY OF APRIL 2024

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Published in pamphlet form by authority of the Mayor and Aldermen of the City of Assumption  
on April 4, 2024

Sorling Northrup – One North Old State Capitol Plaza, Suite 200, Springfield, IL 62701

**ORDINANCE NO. 812**

**AN ORDINANCE APPROVING ASSUMPTION CITY CODE TEXT AMENDMENT TO PROHIBIT COMMERCIAL SOLAR DEVELOPMENTS WITHIN CITY ZONING JURISDICTION, INCLUDING A HALF MUNICIPAL BORDER SETBACK**

**WHEREAS**, the City of Assumption, Christian County, State of Illinois, is a duly organized and existing City created under the provisions of the laws of the State of Illinois; and,

**WHEREAS**, 65 ILCS 5/11-13-14 provides that a municipality may amend its Zoning ordinances provided that a hearing be held before the City Planning and Zoning Commission with notice being published not more than 30 nor less than 15 days before the hearing; and,

**WHEREAS**, Chapter 10 of the City of Assumption Code of Ordinances contains the zoning regulations applicable throughout the City; and,

**WHEREAS**, the City wishes to amend its code to prohibit the installation and operation of commercial solar renewable energy systems within the City's zoning jurisdiction extending to the limits of a half mile municipal border setback, but excluding personal solar installations that City residents or businesses may install on or near their own homes or business location; and,

**WHEREAS**, a public hearing was noticed by publication in the Golden Prairie News on March 20 and 27, 2024, and a public hearing was duly held by the Assumption Planning and Zoning Commission on April 1, 2024; and,

**WHEREAS**, at the hearing on April 1, 2024, the Planning and Zoning Commission recommended that the City Council approve an amendment to the Zoning Code to prohibit the installation and operation of commercial solar renewable energy systems within the City's zoning jurisdiction, extending to a half mile municipal border setback, but excluding personal

solar installations that City residents or businesses may install on or near their homes or business location, by a unanimous vote; and,

**WHEREAS**, the City Council and the Mayor of the City of Assumption believe it is in the best interests of the City to amend the City Zoning Code to add Section 10-11-1, as set forth below, to prohibit the installation and operation of commercial solar renewable energy systems within the City’s zoning jurisdiction extending to the limits of a half mile municipal border setback, but excluding personal solar installations that City residents or businesses may install on or near their own homes or business location.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASSUMPTION, CHRISTIAN COUNTY, ILLINOIS**, as follows:

**Section 1.** The Recitals set forth above are hereby incorporated in this Ordinance as if fully set forth herein.

**Section 2.** Amendment to Title 10 of the Assumption City Code. Title 10 of the City of Assumption City Code is hereby amended as follows (added; ~~deleted~~):

CHAPTER 10

COMMERCIAL SOLAR INSTALLATIONS

SECTION

10-11-1: Prohibition

10-11-1: PROHIBITION

Pursuant to 65 ILCS 5/11-13-1(7), the City of Assumption will not permit the existence of commercial solar installations within its zoning jurisdiction and within a one-half (.5) mile radius surrounding its zoning jurisdiction. This prohibition applies only to commercial solar installations, and not to personal solar installations that City residents or businesses may install on or near their own homes or business location.

**Section 3.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the City of Assumption prior to the effective date of this ordinance.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 4 day of April 2024 at the City of Assumption, Christian County, Illinois.

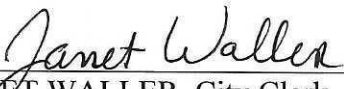
(voting record to follow)

	YES	NO	ABSENT	PRESENT
WORKMAN	✓			
NELSEN	✓			
REED	✓			
SMITH			✓	
SULLIVAN	✓			
WALDEN		✓		
PAGE	—	—	—	—
TOTAL	4	1	1	0

**CITY OF ASSUMPTION**

  
 \_\_\_\_\_  
 DEREK PAGE, Mayor

Attest:

  
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 JANET WALLER, City Clerk