

**JERSEY COUNTY ORDINANCE REGULATING DEVELOPMENT
OF COMMERCIAL SOLAR ENERGY SYSTEMS**

ADOPTED April 9, 2019

ORD # 01-19

**AN ORDINANCE REGULATING RENEWABLE ENERGY SYSTEMS DEVELOPMENT IN JERSEY
COUNTY**

WHEREAS, the County of Jersey has adopted the Ordinance regulating renewable energy systems development in Unincorporated Jersey County on April 9, 2019;

WHEREAS, the County of Jersey also deems it necessary to adopt regulations regarding Solar Energy Systems (also known as solar parks or solar fields) development for commercial use in Jersey County. By the authority given by the Illinois State Statutes (55 ILCS 5/ Div. 5-29), and (55 ILCS 5/5-12020).

NOW, THEREFORE, BE IT ORDAINED by the County Board of Jersey County, Illinois as follows:

The purpose of this Ordinance is to facilitate the commercial construction, installation, and operation of solar energy farms or other renewable energy technologies in Unincorporated Jersey County that promote economic development and ensure the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands. This Ordinance does not apply to residential construction and is not intended to replace safety, health, or environmental requirements contained in other applicable codes, standards, or Ordinances. The provisions of this Ordinance shall not be deemed to nullify any provisions of local, state or federal law.

1. DEFINITIONS

- a) **Applicant.** The entity of person who submits to the county an application for the siting of any Solar Energy System (SES) including substations or any means of storage.
- b) **Active Solar Energy System.** A solar energy system 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.
- c) **Grid-interim Solar Energy System.** A photovoltaic solar energy system that is connected to an electric circuit served by an electrical company.
- d) **Off-grid Solar Energy System.** A photovoltaic solar energy system in which the circuits energized by the solar system are not electrically connected in any way to electric circuits that are served by an electric utility company.
- e) **Operator.** The entity responsible for the day-to-day operation and maintenance of the development project, including any third party subcontractors.

- f) **Owner.** The entity or entities with an equity interest in the SES(s), including their respective successors and assigns. Owner does not mean (a) the property owner from whom land is leased for locating the project (unless the property owner has an equity interest in the project); or (b) any person holding a security interest in the C or SES solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the or SES(s) at the earliest practicable date.
- g) **Photovoltaic System.** A solar energy system that converts solar energy directly into energy.
- h) **Renewable Energy Easement, Solar Energy Easement.** An easement that limits the height or location, or both, of permissible development on the burdened land in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to sunlight passing over the burdened land.
- i) **Solar Farm.** A commercial facility that converts sunlight into electricity, whether by photovoltaic (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the principal land use for the parcel on which it is located. Utility scale solar must be bigger than 2 MW AC.
- j) **Solar Garden.** A commercial solar-electric (photovoltaic) array that provides retail electric power (or financial proxy for retail power) to multiple households or businesses residing or located off-site from the location of the solar energy system. A community solar system may be either an accessory or a principal use.
- k) **Solar Collector.** A device, structure or a part of a device for structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.
- l) **Solar Collector Surface.** Any part of a solar collector that absorbs solar energy for use in the collector's energy transformation process. Collector surface does not include frames, supports and mounting hardware.
- m) **Solar Energy System.** As used in this section, a Solar Energy System ("SES"), also known as a solar power, solar park, solar field, and a solar farm, means an alternative energy facility that consists of one or more ground-mounted or free-standing solar collection devices, solar energy related equipment, and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar energy to a different form of energy for primarily commercial or other off-site use.
- n) **Solar Storage Unit.** A component of a solar energy device that is used to store generated electricity or heat for later use.

2. SOLAR FARM

The term "Solar Farm" shall not be construed to include, so as to prohibit, or have the effect of prohibiting, the installation of a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for a residential property.

Further, notwithstanding anything to the contrary contained herein, the term "Solar Farm" shall not be construed in such a way that would cause a person to be denied permission by Jersey County to install a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for a residential property.

As used herein, "residential property" means property where the predominant use is for residential purposes. Further, notwithstanding anything to the contrary contained herein, the term "Solar Farm" shall not be construed in such a way

as to prohibit the installation or mounting of a series of one or more solar collectors upon the roofs of residential and/or commercial structures regardless of whether the said series of one or more solar collectors collectively has a total nameplate generation of at least 15 kilowatts (kW) direct current (DC) or more when operating at maximum efficiency.

3. SOLAR ENERGY SETBACKS

A ground-mounted SES shall have a setback for all equipment, excluding fences, a minimum of seventy five (75) feet from the front property line and thirty five (35) feet from side and rear property lines. The SES shall be setback a minimum of three hundred (300) feet from the property line of a platted subdivision or other residence. Setbacks for inverters and transformers shall be no less than two hundred (200) feet from any residence that is not on the property that has acquired the Solar Development Permit from the Jersey County Code Administrator.

4. DESIGN STANDARDS

- a) Facility Equipment - Shall conform to applicable International Code Council building codes and to other industry standards including the *International Code Council Energy Provisions*. Applicants shall submit certificates from equipment manufacturers that the equipment is manufactured in compliance with industry standards.
- b) Compliance with Additional Regulations - It shall be the responsibility of the applicant to coordinate with the FAA or other applicable federal or state authority to attain any additional required approval for the installation of a solar energy generation facility. The applicant shall submit with the Special Use application an approval letter from any federal or state authority requiring permit or approval.
- c) Power and Communication Lines - Power and communication lines ("lines") running between banks of solar panels shall be buried underground except from point of interconnection to existing utility-owned, above-ground electrical wires. The applicant shall submit with the Special Use application a copy of a letter from the electric utility company confirming the review of the application for interconnection has started.
- d) Minimum Acreage - No SES shall be erected in any lot less than twenty (20) acres in size.
- e) Height - Systems, equipment, and structures shall not exceed twenty (20) feet in height when ground mounted. Excluded from this height requirement, however are electric transmission lines, utility poles, and other poles and equipment used in connecting a ground-mounted piece of equipment to an electric transmission line.
- f) Floodplain - No SES shall be permitted to be located in the designated Jersey County Floodplain determined by the current FEMA FIRM maps or as determined by the Jersey County Certified Floodplain Manager.
- g) Security - Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
- h) Lighting - If lighting is provided at the site, lighting shall be shielded and downcast so that the light does not spill onto adjacent parcels.
- i) Noise - Noise levels measured at the property line shall not exceed fifty (50) decibels (not including background noise) when located adjacent to an existing residence.
- j) Glare - Solar collectors shall be placed such that concentrated solar radiation or glare does not project onto nearby structures, roadways or other areas accessible to the public. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

- k) Fire Safety - It is the responsibility of the applicant to coordinate with the local fire protection district. The applicant shall submit with the Special Use application an approval letter from the local fire protection district.
- l) Warning Signage - A visible warning sign of “High Voltage” shall be posted at all points of site ingress and egress and along the perimeter fence of the facility, at a maximum of three hundred (300) feet apart. A sign that includes the facility’s 9-1-1 address and a 24-hour emergency contact number shall be posted near all entrances to the facility.
- m) Endangered Species and Wetlands - Applicant shall seek natural resource consultation with the Illinois Department of Natural Resources (IDNR). The applicant shall submit with the Special Use application the results of the IDNR EcoCAT consultation. The cost of the EcoCAT consultation shall be paid by the applicant.
- n) County Highway and Township Road Agreements - Each solar energy facility shall have written agreement with the County Engineer and respective Township Highway Commissioner(s) regarding use of county/township road, bridges and right-of-way. Performance/surety bonds or other financial assurance documents may be required to guarantee the performance of the road agreements before a Special Use permit can be issued. The applicant shall submit with the Special Use application an approval letter from the road jurisdiction(s).
- o) Foundations - A qualified Structural Engineer licensed in the State of Illinois shall certify that the foundation and design of the solar panels is within accepted professional standards, given local soil and climate conditions.
- p) Other Standards and Codes - All solar farms shall be in compliance with all applicable local, state and federal regulatory standards, including the National Electric Code, as amended.
- q) AIMA - A copy of the *Standard Agricultural Impact Mitigation Agreement* between the Landowner and The Department of Agriculture approving the development of a SES.

5. APPLICATION

The provisions of the Ordinance shall be administered and enforced by personnel of the Jersey County Code Administrator office (herein referred to as “Code Official”). The applicant must submit the following information ten (10) business days prior to the submittal of the Special Use application for a solar farm. The applicant is required to submit twenty-five (25) copies of all required documentation, including ten (10) full size copies of exhibits and fifteen (15) reduced size copies of all exhibits, with the Code Official, together with the appropriate filing fee. The application shall include the following:

- a) Site plan with existing conditions showing the following:
 - 1) Existing property lines and property lines extending one hundred (100) feet from the exterior boundaries, including the names of adjacent property owners and current use of those properties.
 - 2) Existing public and private roads, showing widths of the roads and any associated easements.
 - 3) Location and size of any abandoned wells or sewage treatment systems.
 - 4) Existing buildings and any impervious surfaces.
 - 5) A contour map showing topography at two (2) foot intervals. A contour map of surrounding properties may also be required.
 - 6) Existing vegetation (list type and percent coverage, i.e., cropland/plowed fields, grassland, wooded areas, etc.).
 - 7) Waterways, watercourses, lakes, and public water wetlands. Also any delineated wetland boundaries.

- 8) A copy of the current FEMA FIRM map that shows the subject property, the one hundred year flood elevation and any regulated flood protection elevation, if available.
 - 9) Surface water drainage patterns.
 - 10) The location of any subsurface drainage tiles.
- b) Site plan with proposed conditions showing the following:
- 1) Location and spacing of solar panels.
 - 2) Location of access roads and access points.
 - 3) Planned location of underground or overhead electric lines connecting the solar farm to a building, substation or other electric load.
 - 4) New electrical equipment other than at the existing building or substation that is to be the connection point to the solar farm.
 - 5) Sketch elevation of the premises accurately depicting proposed solar energy conversion system and its relationship to structure on adjacent land.
- c) A preliminary map and plan showing the roads and right-of-ways that will be utilized for both the construction and operation of the solar farm. The applicant shall submit an executed agreement between the solar farm owner/operator and all road district authorities with infrastructure affected by the solar farm to the County. This agreement shall include, at a minimum:
- 1) A final map identifying the routes that will be used.
 - 2) A plan for repairing and/or restoring the affected roads.
 - 3) Other inclusions as specified by the County Board or affected road authority.
- d) Manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems and foundations for poles or racks.
- e) An itemized cost estimate for the entire construction of the project.
- f) A description of the method of connecting the array to a building or substation.
- g) An interconnection agreement must be completed with the electric utility in whose service territory the system is located. Off-grid systems are exempt from this requirement.
- h) Decommissioning Plan – A decommissioning plan shall be required to ensure that solar farm facilities are properly removed after their useful life.
- 1) Decommissioning of solar panels must occur in the event they are not in use for twelve (12) consecutive months.
 - 2) The owner/operator will have six (6) months to complete the decommissioning plan after operation of a solar farm stops being operational, or the County will take the necessary decommission steps.
 - 3) The plan shall include provisions for removal of all structures (including equipment, fencing and roads) and foundations, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site.
 - 4) The Jersey County Board may require the posting of a bond, letter of credit or establishment of an escrow account to ensure the proper decommissioning. The posting of a bond may be required prior to the issuance of a solar farm permit for the facility.
 - 5) Jersey County reserves the right to require additional information or components to the plan as the county deems necessary to ensure that an adequate proposal is in place to decommission the facility in its entirety and that adequate funds are available. In the event that the State of Illinois enacts a law with regards to the decommissioning of a solar farm, the strictest requirements shall prevail.

- i) Complaint Resolution – The Applicant shall develop a process to resolve any complaints that may arise from neighboring property owners during the construction and operation of the solar farm. The process shall use an independent mediator and shall include a time limit for acting on a complaint that is received. The process shall not preclude the local government from acting on a complaint. The Applicant shall provide to the nearby residents a toll-free phone number for complaints during the construction of the facility if a problem should arise.

Applicant will respond to all complaints from persons directly affected by the solar farm project within 48 hours, will attempt to resolve all complaints in a prompt and responsible manner, will keep a log of all complaints and the method of resolution, will make the log available to the County, and will agree to participate in a non-binding mediation for complaints that are not resolved with the cost of such to be paid directly by the Applicant.

Applicable Fees & Special Use Application

Upon submittal for a Special Use Permit application for a solar farm, the Applicant shall submit a non-refundable filing fee as listed in the *Jersey County Fee Schedule* that will be utilized to review and assess the application. Should the actual costs to the County exceed the current fee, the Applicant shall be responsible for those additional costs, including, but not limited to the costs of outside attorneys, hearing officer, and consultants (e.g. noise engineers, traffic engineers, and environmental consultants), and shall remit additional funds to the County within 15 days of receipt of request from the County.

- a) County Code Administrator Responsibilities:
 - 1) Accept and date stamp the application was filed. The date stamp should be considered the official filing date for all time purposes. Receipt and acceptance of an application by the Code Official is pro forma, and does not constitute an acknowledgment that the Applicant has complied with the County ordinance.
 - 2) The Code Official shall forward the application to the County Engineer for a determination of completeness.
 - 3) Code Official shall make available a copy of the application and public record concerning the application for public inspection during the normal business hours of the County offices. Additionally, the Code Official shall provide to any person so requesting, copies of the application or the public record, upon payment by such persons for the actual cost of reproduction.

Public Hearing.

After the filing of an application the Code Official shall make a preliminary determination of completeness of the application. If, in the Code Official's opinion, the application has addressed the required elements of an application, it will be forwarded to the County Engineer and the Subdivision and Land Use Committee to conduct a public hearing on the application. If the application is incomplete, the Applicant will be notified and the application will not proceed to hearing unless good cause is shown for the incompleteness.

- a) Notice – The Applicant must provide a complete list of all properties adjacent to a proposed solar farm. The Applicant shall have a notice issued to every owner of those properties by certified mail, registered mail, or personal service at the last known address of such owner of a property as identified by the County tax records. The notice will identify the nature of the proposed use and the date that a public hearing shall occur on the proposed use at the Subdivision and Land Use Committee, and that any person may make an appearance to participate in that hearing. Those notices must be served at least fifteen (15) days before the public hearing. The Applicant shall provide evidence of notification or evidence of a “good faith” effort to contact the property owner prior to the hearing if requested by the Code Official. The hearing notice shall also be published in a circulation of general publication at least three (3) times before the hearing commences with the first publication occurring at least thirty (30) days before the hearing and at least one publication occurring between seven (7) and fifteen (15) days before the hearing commences.

- b) Subdivision and Land Use Committee- The committee members shall preside over the public hearing; establish a record of the proceedings, make decisions concerning the admission of the evidence and the manner in which the hearing is conducted. The Chairman of the committee will make a recommendation and proposed findings to the full board at the next regular scheduled meeting. At the commencement of the public hearing people wishing to provide a public comment will be identified by a sign in sheet.
- c) Committee and County Board Action – The Subdivision and Land Use Committee will consider the following facts:
 - 1) Whether the application and proposed solar farm project substantially complies with the solar farm ordinance.
 - 2) Whether the proposed solar farm project is sufficiently protective of the public health, safety and welfare of the residents of Jersey County.
 - 3) The Subdivision and Land Use Committee shall tender its findings and recommendations to the County Board. The committee may recommend approval, approval with request for additional information or clarification, approval with conditions, or denial. Within thirty (30) days of the conclusion of the public hearing the County Board will meet in public session and render its decision. The County Board may approve, approve with conditions, or deny the application.
- d) Re-filing – Any Applicant, owner or operator whose solar farm project application is denied may not re-file a substantially similar application for one year. If the County Code Official determines an application is substantially similar to one the Applicant filed within one year it will not be forwarded to the Subdivision and Land Use Committee or the County Board for review.

Building Permit Procedure.

Building applications shall be submitted to the Code Official. The application shall be on a form approved by the Code Official and must be accompanied by two (2) copies of the following:

- a) Address of property, date of application (9-1-1 address required).
- b) Applicant’s name and address, contact information.
- c) Property owners name and address, phone number, email.
- d) Company name (if different from Applicant), contact information, mailing address, email.
- e) Site drawing that shows the proposed location and distance of the solar energy facility with reference to property lines of the parcel; right-of-way of any road; residence; business; or public building.
- f) Construction plans prepared and sealed by a structural engineer licensed In Illinois.
- g) Building permit fee payable by check to “Jersey County” (refer to the *Jersey County Fee Schedule*).
- h) The applicant shall provide standard manufacturer’s specifications and recommended installation methods for all major equipment, including solar panels, mounting systems and foundations for poles and rack. Specifications for the actual equipment to be used in the SES shall be required before a building permit is issued. The Illinois Power Agency Act (20 ILCS 3855/1-1) requires that all systems (utility scale, distributed and community solar) are installed by qualified installers. This requirement is regulated by the Illinois Commerce Commission.
- i) A description of the method of connecting the SES to a building or substation.

- j) FAA requirements - For any SES to be located within five hundred (500) feet of an airport or within approach zones of an airport, the applicant shall complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federal Obligated Airports, or most recent version adopted by the FAA.
- k) Land habitat - A landscape plan shall be submitted which shall incorporate native grasses, flowers, plants which will provide wild life and pollinator habitat, soil erosion protection and/ or aid in strengthening the soil structure. This plan shall be for all other areas of the SES that will not interfere with the solar arrays.

Gates and Locks.

Perimeter chain linked fencing having a minimum height of six (6) feet shall be installed, maintained, and secured around the boundary of the SES. The fence shall contain appropriate warning signage that is posted such that it is clearly visible on the site.

- a) All gates to the fences of Solar Farms shall be at least six (6) feet in height and which shall additionally have at least three(3) strands of barbed wire run above such six feet.
- b) All gates to the fences of all Solar Farms shall be equipped with locks and shall be remain locked at all times except for those times when the owner and/or operator, or their respective agents is/are using the gate for ingress and /or egress or is/are otherwise present and monitoring the Solar Farm(s).
- c) All gates to fences of all Solar Farms shall be constructed so as to substantially lessen the likelihood of entry into a Solar Farm by unauthorized individuals.
- d) The gates and barbed wire required hereunder shall be maintained in good condition. Failure to maintain the gates required hereunder shall constitute a violation of this Ordinance.
- e) The gate, barbed wire and lock requirements specified hereunder shall continue notwithstanding the fact that a Solar Farm is no longer operational and/or falls into disuse unless and until such Solar Farm is dismantled and removed from the parcel or parcels of land upon which it was constructed.

Enforcement and Inspections.

The provisions of this Ordinance shall be administered and enforced by personnel of the Jersey County Code Administrator Office (herein referred to as the “Code Official”) through an inspection of the solar farm every year. The Code Official and his/her designee are hereby granted the power and authority to enter upon the premises of the solar farm at any time by coordinating a reasonable time with the operator and/or owner of the facility. Any person, firm, or corporation who violates, disobeys, omits, neglects, refuses to comply with, or resists the enforcement of any provisions in this section may face fines of not less than one hundred (\$100) dollars nor more than seven hundred fifty (\$750) dollars for each offense. A separate and distinct offense shall be regarded as committed each day the violation remains uncorrected.

Road Use Agreements.

All routes on either County or Township roads that will be used for construction or maintenance purpose shall be identified on the site plan. The routing shall be approved by the Jersey County Highway Engineer and the Township Road Commissioners. The applicant shall provide a preconstruction baseline survey for determining existing road conditions that assesses potential future road damage and provide a letter of credit or other financial security as required by the Jersey County Highway Engineer.

Decommissioning Security Costs.

The plan shall ensure financial resources equal to 125% of the entire cost of decommissioning, and approved by the Code Official and the State's Attorney, in a surety performance bond that is readily convertible into cash at face value, naming Jersey County and its officials as the insured. This surety shall be retained by the County to cover the cost of the decommissioning requirements herein. Following initial submittal of the surety, the cost calculation shall be reviewed bi-annually, and adjusted accordingly based upon an updated estimate, excluding the salvage value, by an Illinois licensed engineer under seal; provided however, any such periodic adjustment must be approved by the County Board. The County shall hire the engineer and the applicant shall be required to cover the cost. Failure to comply with any requirement of this paragraph shall result in the immediate termination and revocation of all prior approvals and permits; further, County shall be entitled to make immediate demand upon, and/or retain any proceeds of, the surety, which shall be used for decommissioning and/or removal of the Solar Energy Facility, even if still operational.

Remedial Costs.

Applicants and /or owners of solar farms shall pay all costs associated with the remedy of any complaints deemed necessary and factual by the Jersey County Code Administrator or the Jersey County Board.

Liability Insurance.

The owner or operator of the solar project shall maintain a current and general liability policy covering bodily injury and property damage with limits of at least two (2) million dollars per occurrence and twenty (20) million dollars in the aggregate. The owner or operator of the solar project shall maintain this policy for the lifetime of the solar project and submit a copy of the same to the Jersey County Board at each renewal. The County of Jersey and its officials shall be named as additional insured's.

Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Indemnification – The applicant, owner and/or operator of the solar project shall defend, indemnify, and hold harmless the County of Jersey and its officials from and against any and all claims, demands, losses, suites, class of action, damages, injuries, costs, expenses and liabilities whatsoever, including attorney's fees, without limitation arising out of acts of omissions of the applicant, owner and/or operator associated with the construction; and/or operator associated with the construction and/or operation of the solar project.

Public Nuisance – Any solar project declared to be unsafe by the Code Official by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, damage, or abandonment is hereby declared a Public Nuisance and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure set forth in the Ordinance.

Effective Date.

This Ordinance is an ordinance necessary for the health and safety of the people of Jersey County, Illinois, and shall be in full force and effect from and after its passage.

Interpretation

The provisions of these regulations shall be held to the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare of the County of Jersey. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of the County of Jersey nor conflict

with any statutes of the State of Illinois, except that these regulations shall prevail in cases where these regulations impose a greater restriction than is provided by existing statutes, laws or regulations.

Repeal

All ordinances and regulations and amendments thereto enacted and/or adopted by the County Board that are inconsistent with the provisions of this Ordinance are hereby repealed, as of the effective date of this Ordinance. The repeal of any prior ordinance or its amendments does not affect or impair any act done, offense committed or right accruing, accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

Effective Date

This Ordinance is an ordinance necessary for the health and safety of the people of Jersey County, Illinois, and shall be in full force and effect from and after its passage.

PASSED BY THE JERSEY COUNTY BOARD THIS 9th DAY OF May, 2019.

BY: /s/ Donald R. Little
Jersey County Board Chairman

ATTEST:

/s/ Pam Warford
Jersey County Clerk & Recorder

Published in pamphlet form by authority of the County Board of the County of Jersey, Jersey County, Illinois this 9th day of April, 2019 pursuant to the provisions contained in 55 ILCS 5/5 – 1041 and 5/5 – 1063
