

Solar Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF CALAVERAS ADDING SECTION _____ TO THE CALAVERAS COUNTY CODE RELATING TO EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS.

WHEREAS, Subsection (a) of Section 65850.5 of the California Government Code provides that it is the policy of the State to promote and encourage the installation and use of solar energy systems by limiting obstacles to their use and by minimizing the permitting costs of such systems; and

WHEREAS, Subdivision (g)(1) of Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance, consistent with the goals and intent of subdivision (a) of Section 65850.5, that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF COUNTY OF CALAVERAS DOES ORDAIN AS FOLLOWS:

SECTION 1.

Adoption of this ordinance is exempt from the California Environmental Quality Act (Pub. Res. Code §21000, et. seq) under Title 14, C.C.R. §15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment based on the following findings:

A. Adoption of an ordinance to expedite processing of small residential rooftop solar systems will not result in any direct or reasonably foreseeable indirect physical impact to the environment as the intent of the ordinance is to reduce the effects of noise beyond the property lines of the offending property.

SECTION 2. The Board of Supervisors finds:

A. The proposed Ordinance would not be detrimental to the public interest, health, safety, convenience, or general welfare of the County.

B. Adoption of the ordinance will merely facilitate the installation of rooftop solar panels which would be beneficial to the environment through the use of renewable resources.

SECTION 3.

Section _____ Added. Section _____ is added to the Calaveras County Code to read in full as follows:

Section _____ Small Residential Rooftop Solar Energy System Review Process.

A. The following words and phrases as used in this section are defined as follows:

“Small residential rooftop solar energy system” means all of the following:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.

2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the County and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or pre-designated from time to time.

3. A solar energy system that is installed on a single or duplex family dwelling.

4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

“Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or re-designated from time to time.

B. Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

C. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review.

The building official is hereby authorized and directed to develop and adopt such checklist based upon the California Electrical Code (CEC), California Residential Code (CRC), California Building Code (CBC) and California Fire Code (CFC) references, 2013 versions.

D. The checklist shall be published on the Building Department internet website and may be modified from time to time by the building official as law and local conditions require. The applicant may submit the permit application and associated documentation to the County

Building Division by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.

E. Prior to submitting an application, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and
2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.

F. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the building official and fire chief. A separate fire inspection may be performed if the County does not have an agreement in place with your local fire authority to conduct a fire safety inspection on behalf of the fire authority. Such fact shall be disclosed on the County Website. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however the subsequent inspection need not conform to the requirements of this subsection.

G. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

H. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

SECTION 4. Serviceability. If any clause, provision, sentence or paragraph of this chapter or the application thereof, is deemed to be invalid as to any person, entity, establishment, or circumstance, such invalidity shall not affect the other provisions of this chapter which shall remain in effect, and to this end, it is hereby declared that the provisions of this chapter are severable.

SECTION 5. Effective Date. This Ordinance shall take effect and be in force at the expiration of thirty (30) days after its passage, and it shall become effective on the ____ day of September 2015, and before the expiration of fifteen (15) days after its passage, it shall be published in the County of Calaveras.

PASSED AND ADOPTED by the Board of Supervisors of the County of Calaveras on a motion by Supervisor _____ and seconded by Supervisor _____ at a regular meeting held on the ____th day of August 2015, by the following vote of said Board: