

ORDINANCE NO. 1162

AN ORDINANCE OF THE CITY OF SANGER ADDING SECTION 14.93 TO ARTICLE II.V. OF CHAPTER 14 OF THE SANGER MUNICIPAL CODE RELATING TO EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS.

WHEREAS, as set forth in Government Code Section 65850.5(a) it is the policy of the State of California that local agencies encourage the installation of solar energy systems by removing obstacles to, and minimizing the costs of, permitting such energy systems; and

WHEREAS, as set forth in Government Code Section 65850.5(g), cities must adopt an ordinance on or before September 30, 2015, that creates an expedited and streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, the ordinance must substantially conform with the recommendations set forth in the California Solar Permitting Guidebook, including the use of a checklist of all requirements that, if complied with, requires cities to approve the application and issue the applied for permits; and

WHEREAS, the City Council of the City of Sanger finds that it is in the interest of the health, welfare and safety of the public to provide an expedited permitting process to encourage the effective development of solar technology; and

WHEREAS, the City Council of the City of Sanger finds that the following ordinance will have the effect of encouraging the installation of small residential solar energy systems and minimizing barriers, obstacles, and costs of obtaining permits for their installation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANGER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 14.93 of Article II.V. of Chapter 14 of the Sanger Municipal Code is hereby added to read as follows:

Sec. 14-93. - Small Residential Rooftop Solar Energy System Review Process

(a) Definitions. The following words and phrases as used in this section are defined as follows:

(1) "Department" means the City's Community Development Department, Building Division.

(2) "Electronic submittal" means the utilization of one or more of the following:

(A) e-mail;

(B) the internet;

(C) facsimile.

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

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

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

(C) A solar energy system that is installed on a single or duplex family dwelling.

(D) A solar panel or module array that does not exceed the maximum legal building height as defined by the City of Sanger.

(4) “Solar energy system” has the same meaning as 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 redesignated from time to time.

(b) Permit Review and Inspection Requirements.

(1) The Department shall develop a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review.

(2) The checklist shall be published on the City’s internet website. The applicant may submit the permit application and associated documentation to the City’s Community Development Department 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.

(3) Prior to submitting an application, the applicant shall:

(A) 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

(B) 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.

(4) 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. 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.

(5) 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.

(6) 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.

(7) All fees prescribed for the permitting of small residential rooftop solar energy systems must comply with Government Code Sections 65850.55, 66015, 66016, and Health and Safety Code Section 17951.

SECTION 2. Severability. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional or invalid.

SECTION 3. Effective Date. This ordinance shall take effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 4. Publication. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

Raul Cantu, Mayor Pro Tem

ATTEST:

I, Rebeca Hernandez, City Clerk of the City of Sanger, California do hereby certify that the foregoing ordinance was introduced at a regular meeting of the Sanger City Council held on the 3rd day of September, 2015, and was duly adopted by the Sanger City Council at a Regular Meeting of said City Council on the 17th day of September, 2015, by the following vote:

AYES:	COUNCILMEMBERS:	CANTU, ONTIVEROS, PACHECO, GARZA
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE

Rebeca Hernandez, City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney