

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, PROVIDING AN EXPEDITED, STREAMLINED PERMITTING PROCESS 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.

THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 15.50 is added to the Claremont Municipal Code to read in full as follows:

15.50 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM EXPEDITED REVIEW PROCESS

15.50.010 Definitions

- A. "Solar Energy System" means either of the following:
 - i. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space colling, electric generation, or water heating.
 - ii. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electrical generation, space heating or cooling, or for water heating.
- B. "Small Residential Rooftop Solar Energy System" means all of the following:
 - i. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - ii. A solar energy system that conforms to state fire, structural, electrical, and other building codes as adopted or amended by the City of Claremont.
 - iii. A solar energy system that is installed on the roof of a single or duplex family dwelling.
 - iv. A solar panel or module array that does not exceed the maximum legal building height as defined by the Claremont Municipal Code.

15.50.020 Purpose

The purpose of this ordinance is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost effective installations of small residential rooftop solar energy systems. The ordinance encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the City of Claremont, and expanding the ability of property owners to install solar energy systems. The ordinance allows the City of Claremont to achieve these goals while protecting the public health and safety.

15.50.030 Applicability

This ordinance applies to the permitting of all small residential rooftop solar energy systems in the City of Claremont. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this ordinance are not subject to the requirements of this ordinance unless physical modifications or alterations are undertaken that materially change the size, type or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

15.50.040 Solar Energy System Requirements

- A. All solar energy systems shall meet applicable health and safety standards, and requirements imposed by the State of California, the City of Claremont and Los Angeles County Fire Department.
- B. Solar energy systems for heating water in single family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Codes.
- C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electrical Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

15.50.050 Duties of the Building Division and the Building Official

- A. All documents required for submission of an expedited solar energy system application shall be made available on the publicly accessible City of Claremont website.
- B. Electronic plan check submittal [email, the Internet, facsimile] will be made available for all small residential rooftop solar energy systems.
- C. Electronic signatures will be accepted on forms and documents.
- D. The City of Claremont shall adopt a standard plan and checklist of all

requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.

- E. The small residential rooftop solar system permit process, standard plan(s), and checklist shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the *California Solar Permitting Guidebook* adopted by the Governor's Office of Planning and Research.
- F. All fees prescribed for the permitting of small residential rooftop solar energy systems must comply with Government Code Section 65850.555, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.

15.50.060 Permit Review and Inspection Requirements

- A. The City of Claremont Building Division shall issue a permit for a small residential rooftop solar system within three days of receipt of a complete application that meets all the requirements of the expedited approved checklist and standard plan and does not have a specific, adverse impact upon the public health and safety.
- B. Review of the permit application shall be limited to the Building Official's review of whether the application meets local, state and federal health and safety requirements.
- C. The City shall not condition approval of an application on the approval of an association, as defined in Section 4080 of the Civil Code.
- D. If an application is deemed incomplete, a written plan check correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be given to the applicant for resubmission.
- E. Only one inspection shall be required and performed by the Building Division for small residential rooftop solar energy systems eligible for expedited review.
- F. The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two business days of a request and provide a two hour inspection window.
- G. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this ordinance.

15.50.070 Severability

If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this ordinance shall nonetheless remain in full force and effect.

SECTION 2. The mayor shall sign this ordinance and the city clerk shall attest and certify to the passage and adoption of it, and within fifteen (15) days, publish in the Claremont Courier, a weekly newspaper of general circulation, printed, published, and circulated in the City of Claremont and thirty (30) days thereafter it shall take effect and be in force.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2015.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:

City Attorney, City of Claremont