

ORDINANCE NO. 902

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 8.40 TO TITLE 8 OF THE MUNICIPAL CODE ESTABLISHING THE EXPEDITED PERMITTING PROCEDURE 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 Moreno Valley does ordain as follows:

SECTION 1.

Moreno Valley Municipal Code, Chapter 8.04, "Small Residential Rooftop Solar Energy System Review Process," is added to read as follows:

Chapter 8.40 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REVIEW PROCESS

8.40.010 Purpose.

The purpose of this Chapter is to establish an expedited permitting procedure for small residential rooftop solar systems to assist with timely and cost-effective installations.

8.40.020 Definitions.

The following definitions shall govern all terms of this Chapter and shall supersede any term otherwise defined in this Chapter:

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

1. electronic mail or email,
2. the internet,
3. facsimile.

“*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. 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 re-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.

8.40.30 Duties of the Building Safety Division and Building Director.

- A. All documents required for the submission of an expedited small solar energy system application shall be made available on the city’s internet website.
- B. Electronic submittal of the required permit application and documents by email shall be made available to all small residential rooftop solar energy system permit applicants.
- C. The electronic signature of an applicant, engineer, architect, or contractor shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
- D. The Building Safety Division shall develop a checklist of all requirements that small rooftop solar energy systems must comply with to be eligible for expedited review.

8.40.31 Application, Permit, and Inspection Requirements.

- A. Prior to submitting an application, the applicant shall:
 1. verify 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 installation and maintenance thereof; 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.
- B. For a project complying with the checklist for a small residential rooftop solar energy system the applicant may submit the permit application and associated documentation to the city's building safety division by personal, mailed, or electronic submittal.
 - C. An application that satisfies the information requirements in the checklist, as determined by the building director, shall be deemed complete. Upon receipt of an incomplete application, the building director shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
 - D. Upon confirmation by the building director of the application and supporting documentation being complete and meeting the requirement of the checklist, the building director shall administratively approve the application and issue all required permits or authorizations. Such approval shall not include any necessary approval or permission by a local utility provider to connect the small residential rooftop energy system to the provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

SECTION 2.

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3.

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4.

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 8th day of September, 2015.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. XXX had its first reading on August 25, 2015 and had its second reading on September 8, 2015, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 8th day of September, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)