

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 241

HOUSE BILL 2615

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.4, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-468; AMENDING TITLE 11, CHAPTER 2, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-323; RELATING TO SOLAR CONSTRUCTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 6.4, Arizona Revised Statutes,
3 is amended by adding section 9-468, to read:

4 9-468. Solar construction permits; standards

5 A. MUNICIPALITIES SHALL ADOPT THE FOLLOWING STANDARDS FOR ISSUING
6 PERMITS FOR THE USE OF CERTAIN SOLAR ENERGY DEVICES:

7 1. FOR CONSTRUCTION WITH SOLAR PHOTOVOLTAIC SYSTEMS THAT ARE INTENDED
8 TO CONNECT TO A UTILITY SYSTEM, THE FOLLOWING APPLY:

9 (a) THE LOCATION OF THE PHOTOVOLTAIC SYSTEM INSTALLATION SHALL BE
10 INDICATED ON THE CONSTRUCTION PLANS, INCLUDING THE ROOF PLAN AND ELEVATION.

11 (b) PHOTOVOLTAIC PANEL MOUNTING DETAILS SHALL BE INCLUDED IN THE
12 INSTALLATION PLANS.

13 (c) THE ELECTRICAL DIAGRAMS SHALL INCLUDE ONE-LINE AND THREE-LINE
14 DIAGRAMS.

15 (d) FOR DIRECT CURRENT TO ALTERNATING CURRENT CONVERSIONS, THE CUT
16 SHEET AND LISTINGS FOR INVERTERS SHALL BE INCLUDED IN THE PLANS.

17 (e) A MUNICIPALITY SHALL NOT REQUIRE A STAMP FROM A PROFESSIONAL
18 ENGINEER FOR A SOLAR PHOTOVOLTAIC SYSTEM UNLESS AN ENGINEERING STAMP IS
19 DEEMED NECESSARY. IF AN ENGINEERING STAMP IS DEEMED NECESSARY, THE
20 MUNICIPALITY SHALL PROVIDE THE PERMITEE A WRITTEN EXPLANATION OF WHY THE
21 ENGINEERING STAMP IS NECESSARY.

22 2. FOR SOLAR WATER HEATING SYSTEMS, THE FOLLOWING APPLY:

23 (a) THE LOCATION OF THE SOLAR PANEL SYSTEM SHALL BE INDICATED ON THE
24 CONSTRUCTION PLANS, INCLUDING THE ROOF PLAN AND ELEVATION, AND SHALL INCLUDE
25 MOUNTING DETAILS FOR PANEL INSTALLATION.

26 (b) CONSTRUCTION PLAN NOTES SHALL INCLUDE A REQUIREMENT THAT SOLAR
27 WATER HEATING EQUIPMENT BE INSTALLED IN COMPLIANCE WITH APPLICABLE PLUMBING
28 CODES AND AS PRESCRIBED BY A SOLAR RATING AND CERTIFICATION CORPORATION AND
29 ANY GUIDELINES ADOPTED BY THIS STATE.

30 (c) A MUNICIPALITY SHALL NOT REQUIRE A STAMP FROM A PROFESSIONAL
31 ENGINEER FOR A SINGLE FAMILY SOLAR WATER HEATING SYSTEM UNLESS AN ENGINEERING
32 STAMP IS DEEMED NECESSARY. IF AN ENGINEERING STAMP IS DEEMED NECESSARY, THE
33 MUNICIPALITY SHALL PROVIDE THE PERMITEE A WRITTEN EXPLANATION OF WHY THE
34 ENGINEERING STAMP IS NECESSARY.

35 B. ANY BUILDING OR PERMIT FEE OR CHARGE ASSESSED BY A CITY OR TOWN FOR
36 A BUILDING PERMIT FOR SOLAR CONSTRUCTION MUST BE ATTRIBUTABLE TO AND DEFRAY
37 OR COVER THE EXPENSE OF THE SERVICE FOR WHICH THE FEE OR CHARGE IS ASSESSED.
38 A FEE OR CHARGE SHALL NOT EXCEED THE ACTUAL COST OF ISSUING A PERMIT, AND A
39 WRITTEN, ITEMIZED LIST OF THE INDIVIDUAL COSTS ASSOCIATED WITH THE PERMIT FEE
40 SHALL BE PROVIDED AT THE REQUEST OF THE PERMITEE.

41 C. BEFORE ADOPTION OF A FEE FOR SERVICE OR AN ADDITIONAL OR SEPARATE
42 CHARGE PURSUANT TO THIS SECTION, A CITY OR TOWN SHALL HOLD A PUBLIC HEARING
43 ON THE ISSUE WITH AT LEAST FIFTEEN DAYS PUBLISHED NOTICE.

1 D. THE METHOD BY WHICH A CITY OR TOWN ARRIVES AT AN ASSESSED PERMIT OR
2 PLAN FEE MUST BE PUBLISHED AND MADE AVAILABLE TO THE PUBLIC.

3 Sec. 2. Title 11, chapter 2, article 9, Arizona Revised Statutes, is
4 amended by adding section 11-323, to read:

5 11-323. Solar construction permits; standards

6 A. COUNTIES SHALL ADOPT THE FOLLOWING STANDARDS FOR ISSUING PERMITS
7 FOR THE USE OF CERTAIN SOLAR ENERGY DEVICES:

8 1. FOR CONSTRUCTION WITH SOLAR PHOTOVOLTAIC SYSTEMS THAT ARE INTENDED
9 TO CONNECT TO A UTILITY SYSTEM, THE FOLLOWING APPLY:

10 (a) THE LOCATION OF THE PHOTOVOLTAIC SYSTEM INSTALLATION SHALL BE
11 INDICATED ON THE CONSTRUCTION PLANS, INCLUDING THE ROOF PLAN AND ELEVATION.

12 (b) PHOTOVOLTAIC PANEL MOUNTING DETAILS SHALL BE INCLUDED IN THE
13 INSTALLATION PLANS.

14 (c) THE ELECTRICAL DIAGRAMS SHALL INCLUDE ONE-LINE AND THREE-LINE
15 DIAGRAMS.

16 (d) FOR DIRECT CURRENT TO ALTERNATING CURRENT CONVERSIONS, THE CUT
17 SHEET AND LISTINGS FOR INVERTERS SHALL BE INCLUDED IN THE PLANS.

18 (e) A COUNTY SHALL NOT REQUIRE A STAMP FROM A PROFESSIONAL ENGINEER
19 FOR A SOLAR PHOTOVOLTAIC SYSTEM UNLESS AN ENGINEERING STAMP IS DEEMED
20 NECESSARY. IF AN ENGINEERING STAMP IS DEEMED NECESSARY, THE COUNTY SHALL
21 PROVIDE THE PERMITTEE A WRITTEN EXPLANATION OF WHY THE ENGINEERING STAMP IS
22 NECESSARY.

23 2. FOR SOLAR WATER HEATING SYSTEMS, THE FOLLOWING APPLY:

24 (a) THE LOCATION OF THE SOLAR PANEL SYSTEM SHALL BE INDICATED ON THE
25 CONSTRUCTION PLANS, INCLUDING THE ROOF PLAN AND ELEVATION, AND SHALL INCLUDE
26 MOUNTING DETAILS FOR PANEL INSTALLATION.

27 (b) CONSTRUCTION PLAN NOTES SHALL INCLUDE A REQUIREMENT THAT SOLAR
28 WATER HEATING EQUIPMENT BE INSTALLED IN COMPLIANCE WITH APPLICABLE PLUMBING
29 CODES AND AS PRESCRIBED BY A SOLAR RATING AND CERTIFICATION CORPORATION AND
30 ANY GUIDELINES ADOPTED BY THIS STATE.

31 (c) A COUNTY SHALL NOT REQUIRE A STAMP FROM A PROFESSIONAL ENGINEER
32 FOR A SINGLE FAMILY SOLAR WATER HEATING SYSTEM UNLESS AN ENGINEERING STAMP IS
33 DEEMED NECESSARY. IF AN ENGINEERING STAMP IS DEEMED NECESSARY, THE COUNTY
34 SHALL PROVIDE THE PERMITTEE A WRITTEN EXPLANATION OF WHY THE ENGINEERING
35 STAMP IS NECESSARY.

36 B. ANY BUILDING OR PERMIT FEE OR CHARGE ASSESSED BY A COUNTY FOR A
37 BUILDING PERMIT FOR SOLAR CONSTRUCTION MUST BE ATTRIBUTABLE TO AND DEFRAY OR
38 COVER THE EXPENSE OF THE SERVICE FOR WHICH THE FEE OR CHARGE IS ASSESSED. A
39 FEE OR CHARGE SHALL NOT EXCEED THE ACTUAL COST OF ISSUING A PERMIT, AND A
40 WRITTEN, ITEMIZED LIST OF THE INDIVIDUAL COSTS ASSOCIATED WITH THE PERMIT FEE
41 SHALL BE PROVIDED AT THE REQUEST OF THE PERMITEE.

42 C. BEFORE ADOPTION OF A FEE FOR SERVICE OR AN ADDITIONAL OR SEPARATE
43 CHARGE PURSUANT TO THIS SECTION, A COUNTY SHALL HOLD A PUBLIC HEARING ON THE
44 ISSUE WITH AT LEAST FIFTEEN DAYS PUBLISHED NOTICE.

1 D. THE METHOD BY WHICH A COUNTY ARRIVES AT AN ASSESSED PERMIT OR PLAN
2 FEE MUST BE PUBLISHED AND MADE AVAILABLE TO THE PUBLIC.

3 Sec. 3. Local government solar equipment permit process
4 improvement study committee; purpose; membership;
5 report

6 A. The local government solar equipment permit process improvement
7 study committee is established consisting of the following members:

8 1. Three members of the house of representatives who are appointed by
9 the speaker of the house of representatives, not more than two of whom are
10 members of the same political party. The speaker of the house of
11 representatives shall designate one of these members to serve as
12 cochairperson of the committee.

13 2. Three members of the senate who are appointed by the president of
14 the senate, not more than two of whom are members of the same political
15 party. The president of the senate shall designate one of these members to
16 serve as cochairperson of the committee.

17 3. Three members representing Arizona cities and towns who are
18 appointed by the speaker of the house of representatives as follows:

19 (a) One member representing a city with a population of five hundred
20 thousand or more persons.

21 (b) One member representing a city with a population of forty thousand
22 or more but less than five hundred thousand persons.

23 (c) One member representing a city or town with a population less than
24 forty thousand persons.

25 4. Three members representing Arizona counties who are appointed by
26 the president of the senate as follows:

27 (a) One member representing a county with a population of one million
28 or more persons.

29 (b) One member representing a county with a population of one hundred
30 thousand or more but less than one million persons.

31 (c) One member representing a county with a population of less than
32 one hundred thousand persons.

33 5. Two members representing the utility industry, one who is appointed
34 by the president of the senate and one who is appointed by the speaker of the
35 house of representatives.

36 6. Two members representing the solar energy industry, one who is
37 appointed by the president of the senate and one who is appointed by the
38 speaker of the house of representatives.

39 7. Two members representing the homebuilding industry, one who is
40 appointed by the president of the senate and one who is appointed by the
41 speaker of the house of representatives.

42 B. The committee shall collect information on and consider the
43 following issues:

44 1. Best practices regarding local government permitting standards and
45 permitting fees associated with solar energy features.

1 2. Removing barriers in the permitting and inspection process to
2 successful development and use of solar energy.

3 C. The committee shall submit a final report of its findings and
4 recommendations to the governor, the president of the senate and the speaker
5 of the house of representatives on or before December 31, 2009 and shall
6 provide a copy of this report to the secretary of state and the director of
7 the Arizona state library, archives and public records.

8 Sec. 4. Delayed repeal; study committee

9 Section 3 of this act, relating to the local government solar equipment
10 permit process improvement study committee, is repealed from and after
11 September 30, 2010.

APPROVED BY THE GOVERNOR MAY 23, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 23, 2008.