

Summary of California Laws Governing PV Solar Permits and Fees

California Government Code Section 66014 provides that fees associated with building inspections and building permits "shall not exceed the estimated reasonable cost of providing the service for which the fee is charged unless...approved by, a popular vote of two-thirds of those electors...." (Emphasis added).

SB1222 is effective Jan. 1, 2013 in California Government Code Section 66015

PDF file text of this law: www.SolarPermitFees.org/SB1222.pdf

Requires permit fees for rooftop solar energy systems to not exceed the estimated reasonable cost of providing the service for which the fee is charged, which cannot exceed \$500 plus \$15 per kilowatt for each kilowatt above 15kW for residential rooftop solar energy systems, and \$1,000 plus \$7 per kilowatt for each kilowatt between 51kW and 250kW, plus \$5 for every kilowatt above 250kW, for commercial rooftop solar energy systems, unless certain conditions are met.

AB1801 is effective Jan. 1, 2013 in California Government Code Section 65850.55

PDF file text of this law: www.SolarPermitFees.org/AB1801.pdf

Prohibits a city or county from basing the calculation of the fee charged for a solar energy system on the valuation of the solar energy system, or any other factor not directly associated with the cost to issue the permit.

California Government Code Section 65850.5

(a) The implementation of consistent statewide standards to achieve the timely and cost-effective installation of solar energy systems is not a municipal affair, as that term is used in Section of Article XI of the California Constitution, but is instead a matter of statewide concern. It is the intent of the Legislature that local agencies not adopt ordinances that create unreasonable barriers to the installation of solar energy systems, including, but not limited to, design review for aesthetic purposes, and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install solar energy systems. It is the policy of the state to promote and encourage the use of solar energy systems and to limit obstacles to their use. It is the intent of the Legislature that local agencies comply not only with the language of this section, but also the legislative intent to **encourage the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting for such systems.**

(b) A city or county shall administratively approve applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Review of the application to install a solar energy system shall be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the solar energy system will not have a specific, adverse impact upon the public health or safety.

California Health and Safety Code Section 17959.1

(a) A city or county shall administratively approve applications to install solar energy systems though the issuance of a building permit or similar nondiscretionary permit...

California Civil Code, Section 714

(b)...it is the policy of the state to promote and encourage the use of solar energy systems and to remove obstacles thereto...

The California Solar Rights Act limits the review of solar energy systems by city building officials to whether they meet applicable health and safety requirements. View a letter of intent about the California Solar Rights Act that was enacted in 2005. It was authored by State Senator Lois Wolk and it discusses solar permit fees and design reviews. This letter was sent to all California cities on June 7, 2006. It can be downloaded at: www.SolarPermitFees.org/WolkPVFeeLetter.pdf

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Details on California laws relating to solar permits: www.SolarPermitFees.org/SolarPermitLawsDetailCA.pdf

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