

ORDINANCE NO. 2015-1

AN ORDINANCE ESTABLISHING RULES FOR RESIDENTIAL SOLAR SYSTEMS WITHIN THE CITY OF MAYWOOD PARK

1. PURPOSE

It is the purpose of this regulation to promote the safe, effective and efficient use of solar energy systems installed to reduce the on-site consumption of utility supplied energy and/or hot water as a permitted accessory use while protecting the health, safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. A solar energy system shall be permitted as an accessory to a principal use herein and subject to specific criteria as set forth below.

2. SYSTEMS

The design standards, permitting requirements, and penalties outlined in this ordinance are related to any solar system intended for residential use, including photovoltaic solar electric systems and solar water and pool heating systems.

3. DESIGN STANDARDS

The installation and construction of a solar energy system shall be subject to the following development and design standards:

- A. A solar energy system must be roof mounted. Ground-mounted systems are not permitted.
- B. A system may be mounted on a principal building or accessory building. A system, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the solar energy system extend beyond the edge of the roof, nor shall the top of the solar panel exceed 12” above adjacent finish roof surface.
- C. A system should always consist of an array of panels that matches the shape (square, rectangle, or following the lines of the roof) and proportion of the roof, and should be placed on the rear-facing roof if it will not significantly reduce the effectiveness of the system.
- D. A system attached to an accessory building shall not be located within the required front yard setback.

- E. The minimum solar energy system setback distance from the property lines shall be equivalent to the building setback or accessory building setback requirement of the underlying zoning district.
- F. All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:
 - a) Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species, which provides a visual screen. In lieu of a planting screen, a decorative fence may be used.
 - b) Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
 - c) Mechanical equipment shall comply with the setbacks specified for accessory structures in the underlying zoning district.
- G. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- H. A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
- I. No mature trees may be removed in order to clear an area for the solar system installation, nor to further maximize the system's access to sunlight.

4. PERMITTING

Before a solar energy system is constructed, a permit must be requested and approved. Permit requests will be evaluated in accordance with the following:

- A. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
- B. A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.

- C. A solar energy system connected to the utility grid shall provide written authorization from the local utility company to the City of Maywood Park acknowledging and approving such connection.
- D. The design of the solar energy system shall conform to applicable industry standards. All wiring shall comply with the applicable version of the National Electric Code (NEC). The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the state of Oregon. [Please note that the existing roof structure and the weight of the solar energy system shall be taken into consideration when applying for a solar energy system permit].
- E. The solar energy system shall comply with all applicable Maywood Park Ordinances and Codes so as to ensure the structural integrity of such solar energy system.
- F. Before any construction can commence on any solar energy system the property owner must acknowledge that he/she is the responsible party for owning and maintaining the solar energy system.

5. REMOVAL

If you wish to remove an existing solar energy system, whether you or a previous homeowner installed it, you must:

- A. Repair any roof damage resulting from the removal of a roof-mounted system

6. PENALTY

- A. Violation of any provision of this Ordinance may be subject to a fine or penalty in the maximum amount of \$3000, per each notice of violation.

The City Council hereby declares an emergency, declaring that this Ordinance is immediately necessary to secure the continued general public health and general welfare of the citizens of the City of Maywood Park, and that this Ordinance is immediately necessary to conserve, stabilize and protect property within the incorporated area of the City of Maywood Park. The Ordinance shall take effect and be in force immediately.

PASSED AND APPROVED by the City Council of the City of Maywood Park on the 20th day of July, 2015.

MARK HARDIE, Mayor

ATTEST:

JULIE D. RISLEY, City/City Recorder