

FILED
STATE RECORDS

MAY 28 2014

DEPARTMENT OF STATE

NEW YORK STATE DEPARTMENT OF STATE

41 STATE STREET, ALBANY, NY 12231

LOCAL LAW FILING

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Be it enacted by the TOWN BOARD of the TOWN of GALEN as follows:

APPENDIX C

Town of Galen Local Law No. 1-2014

SOLAR PHOTOVOLTAIC SYSTEM PERMITTING PROCESS

A local law to amend the Town of Galen Zoning Law in connection with the New York State Unified Solar Permit Initiative. Be it enacted by the Town Board of the Town of Galen as follows: (Attached)

If additional space is needed, attach pages the same size as this sheet, and number each).

DOS-239 (Rev. 11/99)

(Complete the certification in the paragraph that applies to the filing of this local law and Strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1-2014 of the Town of Galen was duly passed by the Town Board on May 12, 2014, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____, Of the Town of Galen was duly passed by the _____

(Name of Legislative Body)

on _____ 20 _____, and was (approved) (not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____,

(Elective Chief Executive Officer*)

in accordance with the applicable provisions of law.

3. (Final adoption by referendum.) I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____,

of the Town of Galen was duly passed by the Town Board on _____ 20_____, and was (approved) (not approved) (repassed after disapproval) by the Supervisor on _____ 20_____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20_____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20 _____, of the Town of Walworth was duly passed by the Town Board on _____ 20_____, and was (approved) (not approved) (repassed after disapproval) by the Supervisor on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20 _____, of the City of _____ having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20 _____, of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(SEAL)



Norma Lancaster, Galen Town Clerk

Adopted: May 12, 2014

Resolution: 11-2014

Date: May 14, 2014

Resolution No. 11-2014 adoption of Local Law No. 1-2014

Motion by; Montemorano /2nd by; Kanaley to adopt local law No. 1-2014
SOLAR PHOTVOLTAIC SYSTEM PERMITTING PROCESS

Be it enacted by the Town Board of the Town of Galen as follows:

Town of Galen Local Law No. 1-2014

SOLAR PHOTVOLTAIC SYSTEM PERMITTING PROCESS

While the Town currently encourages and expedites the installation of solar energy systems, this amendment seeks to coordinate such efforts to maximize rebates from the New York State Energy Research and Development Authority (NYSERDA) and local, state and federal tax incentives by streamlining and standardizing the application process by adopting policies pursuant to the “New York State Unified Solar Permit” as part of NYSERDA PON 2721 Cleaner, Greener Communities Program (CGCP) Phase II, Category 1 Initiative.

The Cleaner, Greener Communities Program Phase II, Category 1 Initiative process calls for the creation of a “New York State Unified Solar Permit” providing for an expedited and more uniform process that could be used by municipalities throughout New York State (excluding Nassau County and Suffolk County), thereby ensuring local permitting consistency. As part of this process the amendment provides for: (a) minimal permitting fees; (b) permit determination (issuance or denial) within 14 days upon receipt of a complete and accurate application; (c) a New York State Unified Solar Permit, including a Professional Engineer or Registered Architect certified drawing of panel location and layout; (d) increased accessibility to permitting information by posting information about the permit application process online, with links to any relevant building and electrical code, licensing or insurance requirements, contact information for questions about the process, and a list of steps in the permitting process; (e) establish a single, comprehensive inspection and commit to providing time for an inspection within 7 days of inspection request to minimize project cost; (f) utilize the NY-SUN Trainers Network (funded by NYSERDA) to train and educate local officials and code enforcement officials; (g) review zoning laws and remove excessive reviews.

C102 Amendment.

C102.1 Residential Solar Photovoltaic System Installations.

C102.1.1 Applications for residential solar photovoltaic system installations that meet the requirements as set forth below shall be (i) eligible for expedited review (with a determination within 14 days of submittal of a completed application), and (ii) charged a fair permit fee:

1. The proposed solar installation shall be on the roof of a residential building or legal accessory structure with a single layer of roof covering. A waiver may be requested in writing from the Chief

Building Inspector (Code Enforcement Officer) for an installation on a second layer of roof covering.

2. The proposed solar installation shall be flush-mounted parallel to the roof surface and no more than 6 inches above the surface with an 18-inch clearing at the roof ridge and an 18-inch wide clear path to the ridge.
 3. The proposed solar installation shall create a gravity roof load of no more than 5 pounds per square foot for solar photovoltaic (PV) installations.
 4. The system must be installed by a North American Board of Certified Energy Practitioners (NABCEP) certified contractor listed on the NYSERDA approved contractors list.
 5. The PV panels proposed to be used must have been certified by a nationally-recognized testing laboratory as meeting the requirements of the Underwriters Laboratory (UL) Standard 1703 and inverters must be on a list of NYS Public Service Commission type-tested inverters which are tested by UL or other nationally-recognized laboratories to conform with UL 1741.
 6. To the extent the installation requires or includes use of other equipment such as modules, combiner boxes, and a mounting system, all equipment and systems must be approved for public use and be in full compliance with all current National Electrical Code (NEC) requirements.
- C102.1.2 Applicants must complete and submit the uniform “New York State Unified Solar Permit” and submit all documents as set forth in the “Requirements for Application Submittal” for standard installations.
- C102.1.3 The applicant must submit a Professional Engineer (PE) or Registered Architect (RA)- certified drawing (hand drawn or better) of the solar panel location and layout on the roof, as well as an equipment location diagram and a one line electrical diagram.
- C102.1.4 A professional Engineer or Registered Architect must also certify the load bearing and wind load sufficiency of the proposed solar installation.
- C102.1.5 A new survey is not required, but if the solar energy system is proposed for an accessory structure on the residential property, the applicant shall provide an existing survey and demonstrate that the accessory structure is legal.

C102.1.6 After approval of an application for solar panel construction and / or installation, the applicant shall be required to affix a warning label on all utility meters and at any Alternating Current (AC) disconnect switch indicating that there is an operating solar electric system grid-parallel on site.

C102.1.7 The Town of Galen shall maintain a list by address of all solar energy installations to be shared with relevant emergency responders (i.e. fire department).

C103 Definition.

Solar Photovoltaic System. Devices consisting of solar cells, inverter, and components necessary to generate alternating-current (AC) power when exposed to sunlight.

C104 Authority.

This local law is enacted pursuant to Section 10 of Municipal Home Rule Law.

C105 Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

C106 Effective Date.

This Local Law shall take effect upon filing in the Office of the Secretary of State.

Ayes; Groat, Montemorano, Sebastiano, Kise Kanaley