

ORDINANCE NO. (O) 09-11

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, AMENDING CHAPTER 6, ARTICLE 6-1-7, "RESIDENTIAL CODE" OTHERWISE KNOWN AS THE "2006 INTERNATIONAL RESIDENTIAL CODE" TO ADD A "RESIDENTIAL SOLAR ORDINANCE" REQUIRING INSTALLATION OF SOLAR READY MEASURES IN RESIDENTIAL CONSTRUCTION; REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; AND PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivision under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, on December 6, 1995, the Council approved Ordinance No. (O) 95-85, adopting that certain document entitled "Oro Valley Town Code, Chapter 6, Building" as the sixth chapter of the official Town Code; and

WHEREAS, the Town of Oro Valley's adopted residential code is the "2006 International Residential Code"; and

WHEREAS, the Town desires to require all new single and/or two family residential construction to have connections for future solar systems which will reduce heating and cooling demands, provide more comfortable indoor and outdoor living spaces and avoids blocking or reflecting sun on adjacent public spaces or buildings; and

WHEREAS, it is in the best interest of the Town to amend Oro Valley Town Code, Chapter 6, Building, Section 6-1-7, Residential Code, otherwise known as the "2006 International Residential Code", adding the Residential Solar Ordinance, attached hereto as Exhibit "A" and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

SECTION 1. The certain document entitled Oro Valley Town Code, Chapter 6, Building, Section 6-1-7, Residential Code, otherwise known as the "2006 International Residential Code", is hereby amended by adding the Residential Solar Ordinance, attached hereto as Exhibit "A" and incorporated herein by this reference to be effective

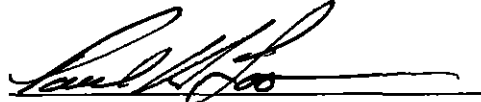
30 days after adoption by the Oro Valley Town Council. Three copies of Exhibit "A" shall be kept on file in the Office of the Town Clerk.

SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

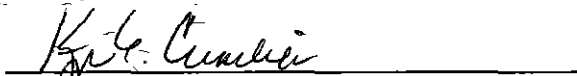
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 17 day of June, 2009.

TOWN OF ORO VALLEY


Paul H. Loomis, Mayor

ATTEST:


Kathryn E. Cuvelier, Town Clerk

Date: 6-24-09

APPROVED AS TO FORM:


Tobin Rosen, Town Attorney

Date: 6/22/09

PUBLISH: DAILY TERRITORIAL
JULY 6, 7, 8, 9. 2009

EXHIBIT "A"

The 2006 International Residential Code adopted under Article 6-1 of the Oro Valley Town Code is hereby revised with additions being shown in ALL CAPS and deletions in ~~strikethrough text~~. Text placement instructions are in *italics*.

Add the requirement to provide solar measures by adding the following at the end of Section M2301.1 General.

Section M2301 Solar Energy Systems

Section M2301.1 General.

This section provides for the design, construction, installation, alteration and repair of equipment and systems using solar energy to provide space heating or cooling, hot water heating and swimming pool heating.

ALL SINGLE FAMILY OR TWO FAMILY RESIDENCES SHALL INSTALL SLEEVES, CONDUITS, WATER STUB-OUTS, ROOF TO WATER HEATER SPACE CONDUIT, OR OTHER CONNECTIONS REQUIRED FOR THE FUTURE CONNECTION OF SOLAR SYSTEMS. THE BUILDING OFFICIAL SHALL DEVELOP STANDARDS TO PROSCRIBE INSTALLATION REQUIREMENTS.

THE BUILDER OR OWNER SHALL INSTALL:

- FULL SOLAR HOT WATER SYSTEM ; OR
- CONDUIT TO THE ROOF AND TWO T'S WITH VALVES IN THE COLD AND HOT WATER PIPING FOR THE WATER HEATER FOR LATER INSTALLATION OF A SOLAR HOT WATER SYSTEM WITH ; OR
- INSULATED PLUMBING FROM WATER HEATER TO ROOF WITH VALVES IN THE COLD AND HOT WATER PIPING FOR THE WATER HEATER FOR LATER INSTALLATION OF A SOLAR HOT WATER SYSTEM; AND
- THE WATER HEATER(S) MUST BE INSTALLED IN AN AREA THAT IS LARGE ENOUGH FOR THE FUTURE INSTALLATION OF AN 80 GALLON WATER HEATER, EXPANSION TANK, AND A HEAT EXCHANGER.

Add the following section:

SECTION M2301.1.1 SOLAR SYSTEM DEFINED.

SOLAR SYSTEMS SHALL BE DEFINED AS THE FOLLOWING:

1. PHOTO VOLTAIC SYSTEMS,
2. SOLAR DOMESTIC HOT WATER SYSTEMS,
3. SOLAR HOT WATER HEATING SYSTEMS (ACTIVE),
4. PASSIVE SOLAR HEATING SYSTEM WHEN DESIGNED BY A REGISTRANT,
5. WIND TURBINE FOR ELECTRICAL GENERATION
6. OTHER TECHNOLOGIES THAT UTILIZE SOLAR ENERGY AS APPROVED BY THE BUILDING OFFICIAL.

OTHER SOLAR SYSTEMS SUCH AS POOL HEATERS SHALL NOT BE CONSIDERED MEETING THE REQUIREMENT FOR SOLAR SYSTEMS.

Add a new subsection:

SECTION E3304.12 PHOTO VOLTAIC SYSTEM CONDUIT.

A CONDUIT OR SLEEVE SHALL BE INSTALLED FROM THE SERVICE ENTRANCE LOCATION TO ABOVE THE ROOF AREA TO FACILITATE THE INSTALLATION OF CONDUCTORS FOR A FUTURE PV SYSTEM.

Add the following at the end of the section:

Section E3305.1 Equipment Location and Clearances. Sufficient access and working space shall be provided and maintained around all electrical equipment to permit ready and safe operation and maintenance of such equipment in accordance with this section and Figure E3305.1. A SPACE NEAR THE SERVICE EQUIPMENT MUST BE PROVIDED TO MOUNT EQUIPMENT FOR PHOTO VOLTAIC SYSTEMS IN A MANNER SUITABLE FOR THE INSTALLATION.

Add the new sub section as follows:

E3506.5 CIRCUIT BREAKER FOR SOLAR CIRCUITS.

SERVICE EQUIPMENT SHALL BE SIZED AND SPACE PROVIDED SO THAT ONE 240VOLT CIRCUIT BREAKER MAY BE BACK-FED FROM A PHOTO VOLTAIC SYSTEM.