



**Testimony**  
**Betsy Gara, Executive Director**  
**Connecticut Council of Small Towns**  
**Before the Energy Committee**  
**February 19, 2015**

**RE: Proposed HB-6435, AN ACT STREAMLINING THE PERMITTING PROCESS FOR THE INSTALLATION OF SOLAR PHOTOVOLTAIC SYSTEMS**

The Connecticut Council of Small Towns (COST) appreciates the opportunity to comment on **HB-6435**, which seeks to streamline the permitting process for the installation of solar photovoltaic systems.

COST supports efforts to encourage energy-efficient development and the use of solar and other renewable forms of energy. Many of our communities have championed efforts to “Go Solar” and encouraged residents to install solar systems to improve energy efficiency.

We also support efforts to streamline the building permit process for the installation of solar PV systems as well as other building projects to improve the delivery of these services. However, COST has the following concerns with recommendations that would impose costly obligations on municipalities to develop an expedited permitting process for solar PV systems:

**Undermines Efforts to Protect Public Safety**

Under current law, municipalities are required to issue or refuse to issue building permits within 30 days after the date of the application. This provides sufficient time for the Building Official to review building plans to determine their compliance with the requirements of the State Building Code, and, where applicable, for the Fire Marshal to review such plans to determine their compliance with the State Fire Safety Code. These requirements are critical to protecting the public safety of our residents. It is my understanding that the proponents of the bill are seeking an expedited review of not more than five business days for small residential rooftop solar PV systems. COST is concerned that this expedited review does not provide local officials with sufficient time to perform a review to ensure the safety of our residents.

**Limits Opportunities for Inspection**

Requiring towns to issue an expedited permit based on a checklist may also compromise safety by effectively tying the town’s hands to perform a more in-depth review if the building inspector or fire marshal believes one is warranted. Moreover, proponents are suggesting that the law limit the opportunity for inspection by requiring inspections to be performed within 3 days and requiring the permit to be issued after one inspection.

**Undermines Local Authority**

The proposal prohibits towns from denying an application unless it makes “written findings based upon substantial evidence in the record” that the installation would have an adverse impact on the public health or safety. This is overly restrictive and would impose onerous burdens on towns that are simply trying to ensure that an installation is in compliance with applicable state building codes.



### **Imposes Costs on Towns to Adopt Municipal Ordinance**

Requiring towns to adopt a municipal ordinance by January 1, 2016 imposes unnecessary cost burdens on towns at time when local budgets are stretched thin. For small towns, state aid to municipalities has been flat funded for a number of years, although the cost of education and other programs have increased substantially during that time. Adopting a local ordinance to create an expedited permitting process for small solar PV installations would require towns to incur significant costs associated with legal fees, town meetings and publication of notices. Given the number of other priorities that towns must address, this is unwarranted. Moreover, the ordinance would be required to reference and be in conformance with a guide published by “Energize Connecticut”, which is presumably subject to revision without municipal input.

### **Caps Local Fees**

Under the proposal, fees would be capped at \$200 per permit. The state should not mandate the fees that municipalities may charge for a permit of this nature. Towns are very limited in the revenues that they may collect and rely on building permit fees to offset the cost of personnel required to process permits. This proposal would result in a revenue loss in many communities, which they simply cannot afford at this time.

### **Mandates Electronic Submittal**

Proponents are also recommending that towns be required to process permits electronically. This may impose additional costs on towns, depending on the process they are currently using.

### **Conflicts with Certain Statutory Obligations**

The proposal does not reflect certain statutory requirements that municipalities must adhere to in processing permits. For example, Public Act 96-216 requires that any person engaged in construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair work within the state be covered by Workers Compensation Insurance, and to produce proof of such coverage to the local Building Official prior to the issuance of a building permit, unless they are specifically exempted under the law. If the person is exempt, they must file a signed statement indicating so in order to obtain a permit.

For these reasons, COST *opposes* **HB-6435** and recommends that the committee consider ways of streamlining the permitting process without imposing costly burdens on municipalities and undermining the role of building inspectors and fire marshals to protect the public health and safety of residents.

For example, many towns are participating in online permitting processes that allow residents and contractors to process permits electronically, including express permits for roofing, window replacement, electrical upgrades and water heater installation, which may be issued instantly unless there are conditions that require review by an official (such as a property in a historic district). The committee should explore opportunities to assist additional municipalities in voluntarily participating in collaborative projects such as this.

COST is also willing to work with CEFIA and other groups supporting this proposal to develop a uniform permit application for residential solar PV installations. We would also be interested in holding workshops or CEU programs to help educate building inspectors and local officials regarding such installations, which would address many of the issues that the proponents are seeking to resolve with this proposal.

Thank you for the opportunity to comment.