

**HARTFORD TOWNSHIP  
VAN BUREN COUNTY, MICHIGAN**

**ORDINANCE NO. 49**

**RESIDENTIAL SOLAR COMPANY LICENSE APPLICATION  
AND INSPECTION ORDINANCE**

**ADOPTED: 12-21-2021**

**EFFECTIVE: 02-03-2022**

An Ordinance to protect the public health, safety and welfare by requiring solar companies that sell and install solar equipment on residential parcels to register with the Township; to create the position of solar energy administrator; to ensure that permits are pulled and inspections obtained for the installation of solar equipment on residential parcels and uses within the Township.

**THE TOWNSHIP OF HARTFORD  
VAN BUREN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION 1**  
**TITLE**

This Ordinance shall be known and cited as the Residential Solar Company License Application and Inspection Ordinance.

**SECTION 2**  
**FINDINGS AND PURPOSE**

**A. Findings.** Hartford Township finds that there has been a significant upturn in the number and quality of businesses that are selling PV Systems, as defined in this Ordinance, solar panels, arrays and financing for such equipment to be placed on residential parcels and houses. Hartford Township finds that many such businesses are selling a product and/or financing and not applying for necessary permits, leaving the residential owners with safety and/or code violations and no recourse. Hartford Township finds that in some cases, such businesses are contacting the power company and requesting that collected excess power be placed onto the power grid. Hartford Township finds that residential customers are not aware of the need for permits and adherence to installation requirements; and instead depend on the selling company to obtain the necessary permits, financing and inspections. In short, Hartford Township finds that there is a reluctance to adhere to the building and electrical codes when a residential structure has solar equipment added. The Township finds that an ordinance is necessary to establish guidelines for companies selling residential solar power equipment so that there is no doubt as to what the requirements are and to establish the responsible party for each.

**B. Purpose.** The purpose of this Ordinance is to protect the public health, safety and welfare by ensuring that residential solar installations are lawfully installed and inspected, that excess electricity from such panels is not added to the power grid without Township certification and by assuring that licensed electrical installers undertake the work and obtain the necessary permits.

**C. Scope.** This Ordinance applies to all individuals, companies and entities that sell or intend to sell or install PV Systems, as defined in this Ordinance, and Solar Energy Systems (whether roof-mounted or ground-mounted) on residential properties and structures in Hartford Township. Commercial-scale solar energy facilities are not included in this Ordinance.

### **SECTION 3** **DEFINITIONS**

The following definitions apply to this Ordinance:

**Accessory Ground-Mounted Solar Energy System:** A ground-mounted solar energy system with the primary purpose of generating electricity for the principal residential use on the site.

**Application:** A form provided by Hartford Township upon which a Solar Energy Systems provider shall identify the parcel upon which the PV System is to be placed; the type of equipment sought to be added, and the consent of the property owner.

**Applicant:** The person or company that wishes to sell, provide, install, or provide financing for a residential SES or PV System.

**Building-Integrated Solar Energy System:** A solar energy system that is an integral part of a primary or accessory building or structure (rather than a separate mechanical device), replacing or substituting for an architectural or structural component of the building or structure. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

**Ground-Mounted Solar Energy System:** A solar energy system mounted on support posts, like a rack or pole, that are attached to or rest on the ground.

**Ground or Rooftop Solar Array:** A mechanically integrated assembly of modules or panels with a support structure and foundation, tracker, and other components as required, to form a DC or AC power producing unit.

**Photovoltaic System:** The total components and subsystem that in combination, convert solar energy into electric energy for connection to a utilization load.

**Qualified person:** One who has the skills and knowledge related to the construction and operation of the electrical equipment and installations and has received safety training to recognize and avoid the hazards involved (applies to homeowners undertaking such installations themselves).

**Installer:** A licensed and qualified building or electrical contractor certified to install the particular type of PV System by the manufacturer and who has a valid license from the State of Michigan to undertake the activity.

**License:** A document issued by the Solar Energy Administrator to allow a solar energy company to sell, install, finance and/or implement a residential PV System in Hartford Township.

**Permit:** Authorization to install a PV System on a particular residential parcel within the Township.

**Photovoltaic (PV) System:** A semiconductor material that generates electricity from sunlight. Hereinafter “PV System” a “PV System” includes a Solar Energy System (SES) as defined in this Ordinance for the purposes of this Ordinance.

**Roof-Mounted Solar Energy System:** A solar energy system mounted on racking that is attached to or ballasted on the roof of a building or structure.

**Solar Array:** A photovoltaic panel or collection of panels or collectors in a solar energy system that collects solar radiation.

**Solar Energy System (SES):** A photovoltaic system for generating and/or storing electricity including all above and below ground equipment or components required for the system to operate properly and to be secured to a roof surface or the ground.

**Solar Energy Administrator:** A person appointed by the Township Board who oversees the registration and application process for all new residential SES and PV System(s). Duties of the Solar Energy Administrator are outlined in Section 6 of this Ordinance.

**Zoning Ordinance:** The Hartford Township Zoning Ordinance.

#### **SECTION 4** **LICENSE REQUIRED**

No person, business, commercial entity or corporation shall be permitted to sell, finance, implement or install any residential PV System to residential property owners for installation on residential parcels without first obtaining a license to do so in Hartford Township from the Solar Energy Administrator and paying a \$100 license fee. The license shall be valid for one year, so long as the person or company adheres to the requirements of this Ordinance. The licensee shall receive a copy of this Ordinance and shall agree to abide by all of its terms. A licensee that does not abide by the terms of this Ordinance is subject to revocation of the license. Reapplication cannot occur until one year after the revocation.

#### **SECTION 5** **APPLICATION AND PROCEDURE**

**Application Requirements.**

A. A separate application is required prior to making a PV System installation on any residential structure or parcel in Hartford Township. A separate application is required for each address or parcel number. A separate application is not required for individual panels, but shall be required if more than one type of solar facility is intended (IE roof mounted and solar array) on a single residential parcel.

B. All PV System applications must include a plot plan. Applications for a ground-mounted PV System must include drawings that show the location of the system on the property, height, tilt features (if applicable), the primary structure, accessory structures and setbacks to property lines. Accessory use applications and solar arrays are subject to adherence to the Zoning Ordinance.

C. Applications for roof-mounted PV System(s) shall be accompanied by sealed plans made by a design professional (architect, engineer or surveyor), establishing that the added equipment will not unduly burden the trusses, PV System and roof; and that fire department access through the roof is still available.

D. All applications for PV System(s) shall be made to the Solar Energy Administrator, who shall review it for completeness.

### **Processing.**

E. Upon receipt of a completed application, the Solar Energy Administrator shall consider the application within 15 days. The Solar Energy Administrator shall provide administrative approval and shall indicate on the return document which building/electrical/zoning and/or other permits must be pulled by the applicant prior to installation. A copy of the administratively-approved application shall be provided to the applicant and to the Township's Building Official, Electrical Inspector, Zoning Administrator and/or other necessary inspectors.

F. An installer shall provide the administratively-approved application to the Township along with the permit application fee for electrical, building or zoning permits required to undertake the work. No building, zoning or electrical permit will be granted unless administrative approval for the PV System and a permit for conducting such business has been previously granted.

### **Regulations for Installation.**

G. Only a certified installer for the particular PV System may pull a permit for installation of a PV System on residential parcels. No work shall commence without the necessary permits.

H. During installation of the PV System the applicant and/or electrical contractor shall assure that all necessary inspections are made and shall keep the electrical and/or building official apprised of the need for inspections and progress. No work may be concealed until it has been approved.

I. If an inspection reveals defects in the workmanship, installation, equipment or connections, the inspector shall red-tag the installation. All subsequent inspections shall be charged to the installer/applicant. The electrical inspector shall not be required to provide a "punch list" of necessary corrections, but only the reason for red-tagging. In addition to any inspection/building

fees paid, any second inspection shall be charged an additional \$75.00; similarly, any 3<sup>rd</sup> or more additional inspections shall be charged an additional \$150.00 per inspection in addition to the permit fees and inspection fees initially paid.

J. No PV System shall be energized until it has received all necessary approvals from the Township inspectors. The applicant/installer must establish with the electrical inspector that the installation has been energized and that it is collecting solar energy and turning it into electricity.

K. Only the Township's Solar Energy Administrator may contact the power company to allow connection to the power energy grid. Any other person authorizing connection to the power energy grid and/or representing himself or herself as a Township Official will be reported to the Van Buren County Sheriff's Department and may result in criminal penalties for fraud.

## **SECTION 6** **SOLAR ENERGY ADMINISTRATOR**

**A. Appointment by Township Board.** The Solar Energy Administrator shall be appointed by the Township Board and shall serve as the permit and application coordinator for all residential SES. The Solar Energy Administrator shall be paid as authorized by the Township Board.

**B. Responsibilities of the Solar Energy Administrator--Licenses.**

1. The Solar Energy Administrator shall take applications for licenses to undertake business from residential Solar Energy providers.
2. The Solar Energy Administrator shall review each license application and shall check the status of the solar energy provider as an ongoing business in the State of Michigan.
3. The Solar Energy Administrator shall collect and receipt a \$100 license fee and provide it to the Township Treasurer for deposit in the Township's accounts.
4. The Solar Energy Administrator shall determine whether the qualifications for obtaining a license in accordance with Section 4 of this Ordinance have been met and, if so, shall provide a document granting the license to do business in the Township and a copy of this Ordinance to the Applicant.
5. The Solar Energy Administrator shall note the expiration date of any annual license granted and shall provide notification of such expiration to the license holder at least 20 days prior to its expiration.
6. The Solar Energy Administrator shall revoke any Solar Energy License upon notification that a license holder has violated any of the terms of this Ordinance. The Solar Energy Administrator shall notify the holder of the revoked license, in writing of the revocation. The Solar Energy Administrator shall note the date of revocation and shall not accept an application from the same Solar Energy provider for one year from the date of revocation.

**C. Responsibilities of the Solar Energy Administrator—Permits.**

1. The Solar Energy Administrator shall accept applications for residential PV System(s) only from companies/individuals that hold a License as defined in Section 4 of this Ordinance.
2. Upon receipt of an application, the Solar Energy Administrator shall review it for completeness and attachment of all required documents, including plot plans, parcel numbers, signature of property owner and license holder, determination of

type and brand of equipment, sealed plans for roof-mounted systems, and installer certifications.

3. The Solar Energy Administrator shall determine whether the application and attachments are complete within 15 days and shall notify the applicant of any deficiencies in that time. A new application is not required if the deficiencies are corrected within 30 days or an explanation as to why they are not able to be corrected is provided. Upon receipt of a completed application, the Solar Energy Administrator shall grant administrative approval for the proposed installation.

4. The Solar Energy Administrator shall provide the administratively-approved application to the necessary Township Officials, including the building department, the Zoning Administrator, and the Township Fire Chief.

5. An administratively-approved application does not confer the authority to undertake the project, but only the authority to make such building, electrical and/or zoning applications as may be necessary for the installation

**D. Enforcement.**

The Solar Energy Administrator is hereby designated as an Ordinance Enforcement Officer of the Township and is provided with the authority to issue citations and enforce this Ordinance in accordance. This responsibility is in addition to and does not supplant the designation of any other previously-appointed Ordinance Enforcement Officer of Hartford Township.

**SECTION 7**  
**VIOLATIONS AND ENFORCEMENT**

- A. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any permit issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- B. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- C. The failure to obtain any required permit, as required by law, including, but not limited to, building permits, electrical or other requirement permits, constitutes a violation of this Ordinance.
- D. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

Minimum Fine	Maximum Fine
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---	1st offense	\$ 150.00	---
---	2nd offense	\$ 325.00	---
---	3rd or subsequent offense	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

**SECTION 8**  
**SEVERABILITY**

The several provisions of this Ordinance are declared to be separate and the holding of any Court that any section or provision thereof is invalid shall not affect or impair the validity of any other section or portion.

**SECTION 9**  
**CONFLICTING ORDINANCES**

All ordinances or parts of ordinances in conflict herewith are hereby repealed. The Township Zoning Ordinance is not in conflict herein and is specifically not repealed. Additionally, the Township's responsibility for administration of the State Construction Code/Electrical Code are not in conflict with this Ordinance and is retained.

**SECTION 10**  
**EFFECTIVE DATE**

This Ordinance shall become effective 30 days after publication after adoption.

Julie Sweet  
Hartford Township Clerk