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TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66342] (Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 7.5. Fees for Solar Energy Systems [66015- 66015.] (Heading of Chapter 7.5 amended by Stats. 2017, Ch. 849, Sec. 2.)

66015. (a) For a residential solar energy system:

(1) A city, county, city and county, or charter city shall not charge a residential permit fee that exceeds the estimated reasonable cost of providing the service for which the fee is charged. Except as provided in paragraph (2), for photovoltaic systems, that fee shall not exceed four hundred fifty dollars (\$450) plus fifteen dollars (\$15) per kilowatt for each kilowatt above 15kW. Except as provided in paragraph (2), for thermal systems, that fee shall not exceed four hundred fifty dollars (\$450) plus fifteen dollars (\$15) per kilowatt thermal for each kilowatt thermal above 10kWth.

(2) Notwithstanding paragraph (1), a city, county, city and county, or charter city may charge a residential permit fee for a solar energy system that exceeds the fees specified in paragraph (1) if the city, county, city and county, or charter city, as part of a written finding and an adopted resolution or ordinance, provides substantial evidence of the reasonable cost to issue the permit.

(b) For a commercial solar energy system:

(1) A city, county, city and county, or charter city shall not charge a commercial permit fee that exceeds the estimated reasonable cost of providing the service for which the fee is charged. Except as provided in paragraph (2), for photovoltaic systems, the fee shall not exceed one thousand dollars (\$1,000) for systems up to 50kW plus seven dollars (\$7) per kilowatt for each kilowatt between 51kW and 250kW, plus five dollars (\$5) per kilowatt for each kilowatt above 250kW. Except as provided in paragraph (2), for thermal systems, the fee shall not exceed one thousand dollars (\$1,000) for systems up to 30kWth, plus seven dollars (\$7) per kilowatt thermal for each kilowatt thermal between 30kWth and 260kWth, plus five dollars (\$5) per kilowatt thermal for each kilowatt thermal above 260kWth.

(2) Notwithstanding paragraph (1), a city, county, city and county, or charter city may charge a commercial permit fee for a solar energy system that exceeds the applicable fee specified in paragraph (1) if the city, county, city and county, or charter city, as part of a written finding and an adopted resolution or ordinance, provides substantial evidence of the reasonable cost to issue the permit.

(c) A written finding adopted pursuant to paragraph (2) of subdivision (a) or (b) shall include all of the following:

(1) A determination that the municipality has adopted appropriate ordinances, permit fees, and processes to streamline the submittal and approval of permits for solar energy systems pursuant to the practices and policies in state guidelines, the checklists and standard plans in the California Solar Permitting Guidebook, and model ordinances.

(2) A calculation related to the administrative cost of issuing a solar permit that includes consideration of any reduction in costs to issue the permit or inspect a solar energy system pursuant to Section 65850.5.

(3) A description of how the higher fee will result in a quick and streamlined approval process.

(d) For purposes of this section, "administrative costs" means the costs incurred in connection with the review, approval, and issuance of the permit, and the hourly site inspection and followup costs, and may also include an amortization of the costs incurred in connection with producing a written finding and adopting an ordinance or resolution pursuant to subdivision (a) or (b).

(e) For purposes of this section, "residential permit fee" means the sum of all charges levied by a city, county, city and county, or charter city in connection with the application for a solar energy system that is installed on the property of a single- or two-family dwelling.

(f) For purposes of this section, "commercial permit fee" means the sum of all charges levied by a city, county, city and county, or charter city in connection with the application for a commercial solar energy system, including, but not limited to, a solar energy system that is installed on the property of multifamily housing that has more than two family dwellings.

(g) For purposes of this section, "solar energy system" has the same meaning as defined in Section 801.5 of the Civil Code.

(h) It is the intent of the Legislature that a city, county, city and county, or charter city that meets the obligations of subdivisions (a) and (b) receive priority access to state funds for the purposes of distributed energy generation planning, permitting, training, or implementation.

(i) Nothing in this section precludes a city, county, city and county, or charter city from conducting a plan check to confirm the safety of a solar energy system pursuant to Section 65850.5 and the California Building Standards Code (Title 24 of the California Code of Regulations).

(j) This section shall remain in effect only until January 1, 2034, and as of that date is repealed.

(Amended by Stats. 2023, Ch. 357, Sec. 1. (AB 1132) Effective January 1, 2024. Repealed as of January 1, 2034, by its own provisions.)