

1 S.236

2 Introduced by Senator Zuckerman

3 Referred to Committee on

4 Date:

5 Subject: Energy; conservation and development; land use; municipal
6 regulation; solar-ready roofs

7 Statement of purpose of bill as introduced: This bill proposes to direct that
8 municipal and State land use permits require new commercial and residential
9 construction to have the capacity to site solar energy generation on the roof of
10 the structure, unless the structure is a single-family residence to be built and
11 occupied by the owner.

12 An act relating to ensuring that roofs of new construction are solar-ready

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 * * * Local Land Use Regulation * * *

15 Sec. 1. 24 V.S.A. § 4412 is amended to read:

16 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

17 Notwithstanding any existing bylaw, the following land development
18 provisions shall apply in every municipality:

19 * * *

1 (10) Each structure intended for commercial or residential occupancy
2 that is constructed on or after January 1, 2017 shall have the capacity to
3 support the placement and operation of solar energy generation on the roof.

4 (A) In this subdivision (10), “solar energy generation” means a
5 facility that generates heat or electricity from the sun.

6 (B) A structure shall have the capacity required by this subdivision
7 (10) if, after completion of construction, solar energy generation may be placed
8 on the structure’s roof and produce electricity or thermal energy for
9 consumption in the structure without structural modification or the installation
10 of additional wiring or plumbing.

11 (C) This subdivision (10) shall not apply to a structure intended for
12 residential occupancy that meets all of the following:

13 (i) The structure is a single-family residence.

14 (ii) The owner of the structure is its builder.

15 (ii) The owner uses the structure as a dwelling.

16 * * * State Land Use Regulation * * *

17 Sec. 2. 10 V.S.A. § 6094 is added to read:

18 § 6094. SOLAR-READY REQUIREMENT; TOWNS WITHOUT ZONING

19 AND SUBDIVISION BYLAWS

20 A permit issued under this chapter shall require compliance with 24 V.S.A.
21 § 4412(10), in accordance with the terms of that statute, if any portion of the

1 permitted development or subdivision is or will be in a municipality that has
2 not adopted permanent zoning and subdivision bylaws.

3 * * * Effective Date * * *

4 Sec. 3. EFFECTIVE DATE; IMPLEMENTATION

5 This act shall take effect on passage and shall apply to applications for
6 municipal and State land use permits filed on or after September 1, 2016.