



Town of Southampton
116 Hampton Road
Southampton, NY 11968

Meeting: 08/08/06 01:00 PM
Department: Town Attorney
Category: Local Laws
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Initiator: Garrett Swenson
Sponsors: Supervisor Patrick Heaney
DOC ID: 4385

SCHEDULED

RESOLUTION 2006-1053

Resolution of Adoption for Local Law Creating a New Chapter 176 Entitled "Solar Electric Systems Rebate and Incentive Program"

BE IT HEREBY RESOLVED, that Local Law No. 44 of 2006 is hereby adopted; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Adoption:

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that after a public hearing was held by the Town Board on August 8, 2006, the Town Board at their meeting of August 8, 2006 adopted LOCAL LAW NO. 44 of 2006 as follows: "A LOCAL LAW creating a new Chapter 176, entitled "Solar Electric Systems Rebate and Incentive Program".

Copies of the local law, sponsored by Supervisor Patrick A. Heaney, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

**BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
NOREEN MCCULLEY, DEPUTY TOWN CLERK**

LOCAL LAW NO. 44 OF 2006

A LOCAL LAW CREATING A NEW CHAPTER 176, ENTITLED, "SOLAR ELECTRIC SYSTEMS REBATE AND INCENTIVE PROGRAM" to the Code of the Town of Southampton.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The increasing costs of electricity and the resulting air pollution associated with our general dependency on fossil fuels has highlighted the Town's need to address this problem at the local level. While most initiatives in the United States have been at the Federal level, several states have adopted programs to gauge feasibility of renewable energy sources and to provide financial subsidies to encourage adoption of these deemed to be sustainable energy resources.

The Town Board's decision to buy electricity through LIPA from renewable resources is but one example of the Town's commitment to promote the use of alternative energy. Solar energy has

been shown to be one such sustainable renewable energy source. In recognition of the long term value that solar energy utilization can have for all Town residents, the Town Board wants to encourage, facilitate and make more affordable solar energy options by offering to both residents and local businesses within the Town a rebate. The rebate amount per person or entity is \$2,500.00 and the total amount already set aside within the 2005 operating budget from non-property tax revenue is \$50,000.00. This pilot program is intended to promote the installation of a 5Kw or greater solar electric system to benefit from this rebate on a first come first served basis.

SECTION 2. Amendment

The Town of Southampton Code will now include a new Chapter 176 entitled, "Solar Electric Systems Rebate and Incentive Program", and is hereby amended by adding the underlined words as follows:

Chapter 176

SOLAR ELECTRIC SYSTEMS REBATE AND INCENTIVE PROGRAM

§176-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SOLAR ELECTRIC SYSTEM or PHOTOVOLTAIC SYSTEM- a system wherein sunlight is directly converted into electricity through solar module panels wired in series to provide low-voltage DC electricity which is then converted to 100 volt AC power for on site usage.

5Kw SYSTEM- a system which is capable of producing 5,000 watts of AC power and is the minimum system eligible herein.

§176-2. Solar Electric Systems Rebate and Incentive Program

A. Eligibility.

- (1) In order to claim the rebate established by this section, the eligible individual or commercial entity must install, a 5Kw or greater solar electric system in compliance with all state and local laws and codes.
- (2) In order to claim the rebate established by this Chapter, the eligible individual or entity must have actually paid the cost for the installation of such solar electric system and follow the procedure for rebate set forth below.

B. Procedure for Rebate.

- (1) Commercial Applications : In the event a site plan or amended site plan is needed prior to the issuance of a building permit, all Town fees associated with the review shall be waived and the review shall be done on an expedited basis.
- (2) Upon approval of a site plan, amended site plan or in the case of a residential installation, and prior to installation, the applicant must submit a building permit application to the Chief Building Inspector indicating therein a description of the system to be installed, placement and installation details.
- (3) The applicant must also submit an electrical application.
- (4) Upon completion of the installation, the applicant shall obtain both a Certificate of Compliance and an Electrical Certificate from the Chief Building Inspector or other authorized personnel. Additionally, whether commercial or residential, the applicant must fill out a Form W-9 and a Supplier Master File Maintenance Form in order to receive the rebate reimbursement.
- (5) The applicant shall submit the documents in subsections (1) through (4) above, and a paid invoice to the Chief Building Inspector, or other authorized personnel, to claim the rebate established by this Chapter.
- (6) Upon review and approval of the Chief Building Inspector, payment of the rebate shall be made by the Town Comptroller.
- (7) The rebate availability is on a first-come, first-served basis, based upon the presentation of the aforementioned documentation.

C. Rebate Amount and Availability. The total sum value of the rebate described in this Chapter is \$50,000.00. Said funds are available for disbursement in the maximum amount of \$2,500.00 each to the first twenty (20) individuals or entities producing the requisite documentation.

D. Rebate Expiration. The ability to claim this rebate shall be retroactive to May 1, 2006. In addition, eligible individuals or entities shall have until December 31, 2006, to install an eligible solar system to claim the rebate described in this Chapter. Thereafter this Chapter shall expire and have no further force and effect.

SECTION 3. Authority.

The Town Board may adopt local laws providing for the distribution of funds pursuant to Town Law Article 8 and New York State Energy Law.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State.

Financial Impact

None