

ORDINANCE NO. 5963

AN ORDINANCE AMENDING SUBCHAPTER 11.04 OF THE HILLSBORO MUNICIPAL CODE TO ADD SECTION 11.04.040 REGARDING ALTERNATIVE ENERGY INSTALLATION PERMIT AND FEE REQUIREMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, during a 2010 amendment to Hillsboro Municipal Code (Municipal Code), a provision addressing the requirements/exemptions for permits, inspections and permit fees that has been part of the Municipal Code since 2006 on certain alternative energy technology installations was removed; and,

WHEREAS, the removal of the provision during the amendment process in 2010 was inadvertent and unintended; and

WHEREAS, staff believes it necessary for language addressing the above requirements be included in the Municipal Code and that said inclusion be done as promptly as possible so the terms of the Code can reflect the need for permits and inspections as well as the exemption of those alternative energy projects from the payment of fees be clearly set out in the Code.

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. Subchapter 11.04 is hereby amended by adding a new section, 11.04.040 to read as follows:

**11.04.040. Alternative Energy Installation Permit and Fee Requirements.**

Permits and inspections under all applicable specialty codes must accompany the installation of an alternative energy device as defined in ORS 469.160. The installations are exempt from permit fees under those codes. No fee exemption shall be provided for modifications to existing installations where the changes do not employ an alternative energy device or technology.

Section 2. In order that the topics covered by the terms of this provision be addressed in the Code in the same fashion as they had been before the inadvertent removal, The Council hereby declares an emergency and this provision is and shall be effective from and after its adoption by the Council.


First approval of the Council on this 5<sup>th</sup> day of April 2011.

Second approval and adoption by the Council on this 19<sup>th</sup> day of April 2011.

Approved by the Mayor this 19<sup>th</sup> day of April 2011.

  
Jerry Willey, Mayor

ATTEST:

  
Amber Ames, City Recorder