

**ORDINANCE NO. 1844**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN AMENDING CHAPTER 15.08 OF THE GOLDEN MUNICIPAL CODE PERTAINING TO THE CITY'S BUILDING PERMITS**

WHEREAS, in 2008, City Council established ten year sustainability goals, one of which seeks to increase the proportion of overall community energy usage derived from renewable energy sources to 20%; and

WHEREAS, the installation of residential solar photo voltaic and solar thermal systems is one means of meeting the renewable energy goal; and

WHEREAS, the City desires to encourage residents to install solar photo voltaic and solar thermal systems; and

WHEREAS, the City believes that reducing the overall costs of such systems by waiving permit and plan review fees may encourage residents to install solar photo voltaic and solar thermal systems; and

WHEREAS, such waivers do not constitute a "Development Subsidy or Incentive" as such terms are defined in Section 18.60.020(1) of the Golden Municipal Code; and

WHEREAS, the City of Golden Community Sustainability Advisory Board endorses the waiver of permit and plan review fees as part of its goal to increase the installation of residential solar photo voltaic and solar thermal systems by 50% over 2008 levels.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Schedule of Fees. Section 15.08.096 of the Golden Municipal Code is enacted to provide:

Special Waiver Program: Waiver of permit and plan review fees for residential installations of solar photo voltaic and/or solar thermal systems.

1. All permit and plan review fees for residential solar photo voltaic and solar thermal systems shall be waived for the time period from June 1, 2009 up to and including May 31, 2010.
2. Re-inspection or investigation fees and additional plan review fees required by changes, addition or revisions to the plans shall not be waived.

Section 2. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

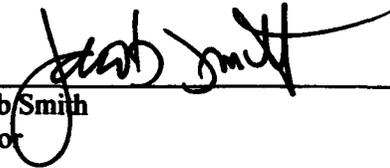
**Section 4.** The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

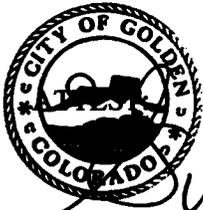
**Section 4.** This ordinance is deemed necessary for the protection of health, welfare and safety of the community.

**Section 5.** This ordinance shall absent further action of City Council be repealed in its entirety, effective June 1, 2010.

Introduced, read, passed and ordered published this 23rd day of April, 2009.

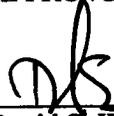
Passed and adopted upon second reading and ordered published this 14<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
Jacob Smith  
Mayor



  
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Susan M. Brooks, MMC  
City Clerk

APPROVED AS TO FORM:

  
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David S. Williamson  
City Attorney

I, Andrea L. Banks, Deputy City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular business meeting of the City Council of said city, held on the 23rd day of April, 2009, and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held on the 14<sup>th</sup> day of May, 2009 and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published in the aforesaid newspaper, as the law directs on the 14<sup>th</sup> day of May, 2009.

Witness my hand and official seal of the City of Golden, Colorado, this 15th day of May, 2009.



ATTEST:

*Andrea L. Banks*

Andrea L. Banks, Deputy City Clerk of  
the City of Golden, Colorado