

Akeena Solar Settles Solar Lawsuit with the Town of Los Gatos

Los Gatos, CA (September 30th, 2004) -

Akeena Solar has agreed to remove three solar panels from view in order to settle its lawsuit with the Town of Los Gatos over the rooftop solar installation on its commercial building.

Akeena Solar decided to settle the lawsuit because the Solar Rights Act signed by California Governor Arnold Schwarzenegger on September 25th, 2004 would make the town's objections to the visibility of solar panels irrelevant. Pictures of the offending solar installation are at <http://www.akeena.net/about/losgatossolar.html>

Solar Rights Lawsuit

Akeena Solar applied for a building permit for a solar electric system on the roof of its building in autumn 2002. The installation was completed in December 2002 but the Town refused to finalize the building permit because three of the solar panels were partially visible from the street. The company appealed the decision to the town's Planning Commission in May 2003 and to the Town Council in August 2003; both appeals were denied.

To preserve its rights, Akeena Solar filed suit in the Santa Clara County Superior Court against the town (Case No. CV009221). In its suit, Akeena Solar contended that the Town Council's decision violated the California Solar Rights Act, which was most recently amended by Governor Davis on September 11, 2003.

Governor Schwarzenegger's Solar Plan

In August 2004 the California Environmental Protection Agency announced its proposed Million Solar Homes Initiative. This bold plan, prompted by Governor Schwarzenegger's campaign promise of increased use of solar energy, would help one million Californians install solar energy systems at no net costs.

"The Governor's plans to encourage solar would be dead in the water if municipalities continue to have free reign to restrict solar installations," said Barry Cinnamon, president of Akeena Solar.

AB 2473 - The New Solar Rights Act

California State Assemblymember Lois Wolk in the 8th Assembly District sponsored a bill this year to strengthen the existing Solar Rights Act. The key improvements made to the new Solar Rights Act minimize aesthetic solar restrictions to those that cost less than \$2,000. In addition, the act limits building official's review of solar installations only to those items that relate to specific health and safety requirements of local, state and federal law.

"It's time to take advantage of one of California's best assets -- the sun! AB 2473 will require cities and counties to allow the installation of solar energy systems unless there is a specific

adverse health and or safety impact. In essence, we need to remove the arbitrary imposition of unreasonable obstacles to a homeowner or business owner's attempts to save money and reduce our dependence on fossil fuel," said Assemblymember Lois Wolk.

Civics 101

"Who would have thought that it would be much quicker to change a California law than to go through the municipal legal process?" said Barry Cinnamon. "It is quite a credit to California's legislators that this new Solar Rights law was passed so quickly as part of the effort to restore the energy and environmental priorities in our State. And when AB 2473 goes into effect in January of 2005, we and every other solar customer in the state of California will be able to benefit from the sun."

About Akeena Solar

Akeena Solar is the fastest growing national solar electric specialist. The company designs and installs residential and commercial solar electric systems in California, New Jersey, New York, Connecticut and Pennsylvania. Akeena is a member of the Silicon Valley Manufacturing Group, Solar Energy Industry Association, Northeast Solar Energy Association, Northern California Solar Energy Association and California Solar Energy Industry Association.

Founded in 2001, Akeena Solar's philosophy is simple: we believe that producing clean electricity directly from the sun is the right thing to do for our environment and economy.

Copyright © SVCN, LLC.