



# Development Services

## Service First Bulletin #101

### SOLAR PERGOLAS PERMITTING REQUIREMENTS

#### PURPOSE

As a customer service initiative, the Development Services Department (DSD) created this Service First Bulletin insert #101 (SFB) to inform our customers, homeowners, and contractors of the permitting and inspections processes for the installation of solar pergolas in the City of Dallas. This initiative will be effective September 1st, 2023.

#### SCOPE

A solar pergola is defined as a freestanding permanent outdoor structure open on all sides supporting equipment that converts solar radiation into electrical energy which is connected to the utility provider electrical grid. Solar pergolas are typically built as shaded sitting areas that are composed of posts, pillars, support beams, and open lattice or fabric intended for occupant shading purposes only. It is an accessory structure installed at grade level and does not have a roof assembly or roof decking.

Texas House Bill (HB) 3526 governing solar pergolas was signed into law on June 2, 2023, during the 88<sup>th</sup> regular session of the Texas Legislature and is effective September 1, 2023. HB 3526, Section 214.221, "Regulation of Solar Pergolas" states:

*"A municipality may not apply a municipal building code to the construction of a solar pergola."*

#### SUBMITTAL

HB3526 is intended to remove municipal limitations on the optimal construction/design of solar pergolas which are intended to maximize energy production. However, the State Law does not limit a municipality's ability to apply the minimum electrical and structural requirements to confirm minimum safety requirements.

An electrical plan review and permit to confirm minimum compliance with the National Electrical Code (NEC) for the proper installation of solar electrical equipment is required with the installation of all solar pergolas. In addition, a structural calculation shall be provided at time of permit and plan review submittal for the design and installation of the structural members, footing/foundation design, and bracing components. A structural inspection certificate shall be required to be submitted by a Texas Licensed Professional Engineer at the time when the Final Electrical Inspection is performed.

A structural assessment and inspection from a Professional Engineer shall not be required for solar pergolas 200 square feet or less and when located on a single-family or duplex premise.

## **SUMMARY**

This Bulletin is intended for information purposes only and the Department reserves the right to administer this process. The Building Official may request additional information deemed necessary to determine minimum compliance. If you have any questions or concerns related to this process, please feel free to email the Director at [buildingofficial@dallascityhall.com](mailto:buildingofficial@dallascityhall.com).

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