

Arizona Solar Rights Law

Arizona's greatest natural resource is the sun. In all areas of our state, from Flagstaff to Tucson, the sunshine that falls on our homes every day can provide more energy than we can use. In fact, today it is common to build homes far from the electrical grid using the sun to provide all of the home's energy needs.



There are many solar technologies that can cost effectively provide energy for the average homeowner. These technologies, which include solar thermal and solar electric applications, save money, reduce pollution, and provide significant benefits for

Arizona's economy. In the Phoenix area, an average solar water heating system, in place of an electric water heater, can eliminate the production of 2800 pounds of pollution annually. When replacing a natural gas system, 1200 to 1600 pounds of pollution are eliminated each year.

A swimming pool heating system can eliminate, on average, 10,000 pounds of pollutants annually. Solar systems that replace natural gas in the home have a direct impact on your neighborhood's air quality, particularly in the wintertime when our air quality is at its worst. Air quality benefits are even greater in other Arizona cities.

The use of solar energy benefits Arizona economically. In addition to creating jobs, solar energy lowers utility bills for commercial and residential energy consumers, resulting in increased profits and disposable income. The money saved with solar energy is spent locally to meet the everyday needs of Arizona families, providing direct economic benefits to local communities.

Because of the benefits that solar energy can provide, many states, including Arizona, have passed laws to protect a homeowner's right to use the sun.



Arizona Solar Right's Law (ARS 33-439):

Restrictions on installation or use of solar energy devices invalid; exception

A. Any covenant, restriction or condition contained in any deed, contract, security agreement or other instrument affecting the transfer or sale of, or any interest in, real property which effectively prohibits the installation or use of a solar energy device as defined in section 44-1761 is void and unenforceable.

B. A deed, contract, security agreement or other instrument affecting the transfer or sale of, or any interest in, real property entered into before April 17, 1980 shall not be subject to the provisions of this section.

Communities do have valid concerns regarding aesthetics and the protection of property values when installing solar energy systems. For that reason, standards have been developed to insure that solar energy systems are installed in a manner that is balanced between aesthetics and proper solar installation procedures. By recognizing the benefits to homeowners and the community and adopting standards for the installation of solar systems, solar energy can play a greater role in our everyday lives and our children will breathe much easier.