

Home-owners to register their off-grid energy installations or face stiff penalties

Cape home-owners who fail to comply with the 2010 Electricity Supply By-Law which prohibits any private electrical generation equipment from being connected to any electrical system without the city's consent will face stiff penalties.



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Chris Cilliers, CEO and principal for Lew Geffen Sotheby's International Realty in the Winelands, says: "Until recently, eco-friendly installations like rooftop solar photovoltaic (PV) systems were largely unregulated due to the absence of national standards, leaving home-owners to their own devices regarding the selection of solar products.

"However, in an effort to establish compliance, the City of Cape Town recently took the initiative and developed temporary standards for small-scale embedded generation (SSEG) systems which owners are now required to register for council authorisation.

"This doesn't only apply to on-grid systems but also those that are indirectly connected through a building's internal wiring, such as a solar-powered pool pump. The city says that these must also be registered so that they are not mistaken for an unauthorised SSEG installation. The only exempt systems are solar water heaters and emergency equipment such as standby generators that don't connect to the city's electrical distribution network."

Registration deadline

Cilliers is concerned that many home-owners may have missed the July announcement and are therefore unaware of the impending 28 February registration deadline, as well as the stiff penalties of non-compliance which include disconnection at a hefty fee of R6425,90.

Additionally, the supply of electricity to the property may also be disconnected and only reconnected once the city is satisfied that the SSEG system is either disconnected, decommissioned or authorised and that the service fee has been paid.

Craig Guthrie, specialist commercial attorney at Guthrie Colananni Attorneys clarifies: “The supply and use of electricity is strictly regulated and, regulations implemented to ensure technical and safety standards stipulate that electrical generation equipment cannot be connected to an electrical system without the city’s consent.

“The city also has the power to disconnect any illegal electricity supply at the cost of the property owner and, upon conviction, can issue a fine of up to R10,000 and/or imprisonment of up to six months.”

He adds that the new bylaw could also impact the sale of homes: “It’s unlikely that properties will obtain an electrical compliance certificate without the proper accreditation of alternative electricity generation equipment which means that owners won’t be able to transfer their properties until their systems comply with the law and are accredited.

“It’s also probable that insurance companies will refuse to pay out if any damage was caused to person or property due to any illegal electrical installation.”

Meeting technical and safety standards

The new regulations are being implemented in accordance with the 2010 Electricity Supply By-Law which prohibits any private electrical generation equipment from being connected to any electrical system without the city’s consent.



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This is to ensure technical and safety standards and prevent illegal and unsafe electrical installations and includes all solar installations, generators, wind turbines and batteries.

These new by-law amendments follow hot on the heels of the 2018 Water-Amendment By-Law which states that only water sourced from the city may be used for domestic purposes and that boreholes, wells and well points are required to be registered with the director.

“The Constitution imposes the obligation on local government to protect the potable water supply system within its area of operation,” says Guthrie, “and the City of Cape Town and other municipalities recently amended their water by-laws to address the challenges that have arisen due to large scale connection of alternative water supplies to properties.

“Failure to comply is an offence and Section 64 imposes the sanction of a fine and/or imprisonment of up to five years. Additionally, home-owners won’t be able to get a plumbing certificate, which is required to transfer a property.”

Cilliers concludes: “South Africans have been actively pursuing energy alternatives hoping to cut down on future costs, foster the power of self-reliance and reduce their carbon footprints and many in Cape Town feel that the new regulations stifle their efforts.

“However, the city maintains that it is not attempting to stifle growth within the alternative energy sector, but rather trying to mitigate risk and establish standards that ensure residents' safety.”

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