

Solar Energy Policy

(Adopted Pursuant to the Michigan Homeowners' Energy Policy Act, MCL 559.301 et seq.)

1. Purpose and Authority

This Solar Energy Policy ("Policy") is adopted by the **Saddle Ridge Condominium Association** ("Association") in compliance with the Michigan Homeowners' Energy Policy Act, MCL 559.301 et seq. ("HEPA"). The purpose of this Policy is to establish reasonable, lawful standards for the review and approval of solar energy systems while preserving the rights granted to members under state law.

This Policy applies to all members seeking to install a solar energy system on a home or lot within the Association, except where the Act expressly does not apply (including installations on shared roofs, as defined by statute).

2. Definitions

- **Solar Energy System:** A system or device that collects, transfers, or converts solar energy into electricity or another usable form of energy.
- **Member:** A homeowner subject to the Association's governing documents.
- **Application:** A written ACC request submitted by a member for approval to install a solar energy system.

3. General Standards

The Association shall enforce only those standards authorized by the Homeowners' Energy Policy Act. This Policy shall be interpreted and applied in a manner consistent with state law and shall not be used to prohibit or unreasonably restrict the installation of solar energy systems.

4. Application Requirement

A member must submit a **written application** to the Association before installing a solar energy system. At a minimum, the application must include:

1. The member's name
2. The street address where the system will be installed

3. The name and contact information of the installer
4. An image or drawing showing the proposed layout and placement of the system
5. A description of the solar energy system

Applications shall be reviewed in accordance with this Policy and the timelines established in the Association's governing documents, provided such timelines do not conflict with HEPA.

5. Association Limitations and Prohibitions

The Association **shall not**:

- Inquire into a member's energy usage
- Impose conditions that impair the operation of a solar energy system
- Impose conditions that negatively impact any component industry-standard warranty
- Require post-installation reporting
- Charge an application fee greater than that charged for other architectural or property modification requests
- Prohibit a member from resubmitting an application after a prior denial
- Deny an application based on the identity of the system owner or the financing method selected by the member

The Association shall not require the use of a specific solar technology (such as solar shingles instead of traditional panels), prohibit installation on a particular roof face, or adopt standards that:

- Reduce system electricity production by more than 10%, or
- Increase total system installation cost by more than \$1,000

6. Permitted Grounds for Denial or Removal

The Association may deny an application or require removal of a solar energy system **only** if one or more of the following applies:

1. A court has determined that the installation violates a law
2. The installed system does not substantially conform to the approved application
3. For roof-mounted systems, the Association determines that one or more of the following apply:
 - The system extends more than **six (6) inches** above or beyond the roof surface
 - The system does not conform to the slope of the roof and the top edge is not parallel to the roof line
 - The system has a frame, support bracket, conduit, or visible wiring that is not **silver, bronze, or black**, or a commonly available equivalent tone
4. For systems installed in a **fenced yard or patio**, the system extends above the fence line

7. Compliance with Laws and Codes

Members are solely responsible for complying with all applicable **state and local building codes, zoning requirements, and permit requirements** related to the installation, maintenance, operation, or replacement of a solar energy system.

8. Resubmission of Applications

A member may resubmit a written application for installation of a solar energy system if a prior application was denied, provided the resubmitted application complies with this Policy and applicable law.

9. Failure to Adopt or Enforce Policy

If the Association fails to adopt this Policy within the timeframe required by HEPA, or fails to act in accordance with the Act, a member may proceed with installation as permitted by law.

10. Distribution and Posting

Within **30 days after adoption**, the Association shall:

- Make a copy of this Policy available to any member upon request
 - Post the Policy on the Association's website, if one is maintained
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11. Conflict with Governing Documents

In the event of a conflict between this Policy and the Association's governing documents, **this Policy and the Homeowners' Energy Policy Act shall control** to the extent required by law.

Adoption

This Solar Energy Policy was adopted by the Board of Directors of **Saddle Ridge Condominium Association** on _____, **2026** and is effective immediately.
