

**RESOLUTION
OF THE
PROMONTORY AT SODA CREEK HOMEOWNERS' ASSOCIATION
REGARDING SOLAR PANELS**

SUBJECT: Adoption of a policy regarding Solar Panels.

PURPOSE: To adopt a policy regarding the installation, maintenance and regulation of Solar Panels.

AUTHORITY: The Declaration, Articles, and Bylaws of the Association, and Colorado law.

EFFECTIVE

DATE: May 1, 2017

RESOLUTION: The Association hereby adopts the following Policy as set forth below:

1. Definition. "Solar Panel" means a solar collector or other device or a structural design feature of a structure which provides for the collection of sunlight and which comprises part of a system for the conversion of the sun's radiant energy into thermal, chemical, mechanical, or electrical energy.
2. Solar Panels. Any homeowner wishing to install a Solar Panel of any kind must, prior to any such installation, obtain the advanced written approval of the Association. Pursuant to Colorado law, the proposed installation of a Solar Panel will be approved by the Association Board of Directors subject to the following:
 - a. The location of any Solar Panels shall be on the contiguous roof of the residence.
 - b. Solar Panels shall be mounted parallel to the roof with a maximum spacing of four (4") inches above the roof. Solar Panels shall be low profile. No portion of the Solar Panels shall protrude beyond the edge or boundary of the roofline.
 - c. Solar Panels should not take up more than 60% of the total roof area.
 - d. Any Solar Panels installed on the roof must closely match the color, look, and feel of the existing roof shingles and aesthetics of the residential structure.
 - e. Solar Panels shall have all plumbing equipment, hoses, wires, cables, pipes and any other associated installations and equipment covered, painted, routed, and installed so as to minimize their aesthetic impact. No portion of such equipment shall extend above the roofline, and all such equipment shall be restricted to being located at the rear of the residence.

- f. All Solar Panels shall be installed by a licensed contractor according to manufacturer specifications and applicable safety requirements as required by any applicable building code or recognized electrical safety standard for the protection of persons or property. Likewise, all rules and regulations of applicable local governmental authorities shall apply. In the event that the local zoning or building regulations do not allow the installation of the proposed Solar Panels, the Association shall likewise disallow same.
- g. Notwithstanding the above, no restriction or criteria placed on Solar Panels by the Association may significantly increase the cost of the device or significantly decrease its performance. In the event it is determined that any such restriction or criteria significantly increases the cost of the device or significantly decreases its performance, the Homeowner shall submit supporting written evidence to the Board of Directors of the Association for its consideration to reasonably alter such criteria or deviate from the same on a case-by-case basis.

3. Limitations.

- a. The approval of the Association shall be conditioned upon the requesting homeowner signing and recording a maintenance and indemnity agreement, whereby the homeowner agrees to maintain the Solar Panels in good working order and indemnify the Association for any action or claim brought against it or other homeowners in connection with the installation, use and maintenance of the Solar Panels.
- b. Owners remain obligated to comply with any local municipality requirements with respect to installation of Solar Panels. Approval from the Association does not negate compliance with any such requirements.

If any provision herein is rendered invalid by operation of law, judgment, or court order, the remaining provisions shall remain valid and enforceable.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Association, certifies that the foregoing Resolution was approved and adopted by the Board of Directors, at a duly called and held meeting of the Board of Directors of the Association on 5-1-2017, and in witness thereof, the undersigned has subscribed his/her name.

**PROMONTORY AT SODA CREEK
HOMEOWNERS' ASSOCIATION,**
a Colorado nonprofit corporation

By: _____
President

David J. Young
DAVID J. YOUNG