

Solar Collection Policy

SPRING CHASE COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 1

SOLAR ENERGY COLLECTION DEVICES

(Relating to restrictions concerning the size, place, color and manner of placement of solar energy collection devices)

Recitals

WHEREAS, Article VIII, Section 3. of the Declaration of Covenants, Conditions and Restrictions of the Spring Chase Community Association, Inc. ("Association") provides that the Board may establish reasonable rules, regulations and guidelines governing architectural control in the community; and

WHEREAS, Article X, Section 1 of the Association's Declaration prohibits Owners from making any exterior addition or change to a Lot without first receiving the approval of the Construction and Modification Committee; and

WHEREAS, For the benefit and protection of the Association, the Board deems it necessary and desirable to establish restrictions concerning the size, place, color and manner of placement of solar energy collection devices, in accordance with the Declaration and applicable law;

NOW THEREFORE, IT IS HEREBY RESOLVED THAT, the Spring Chase Board of Directors adopts the following restrictions concerning solar energy collection devices:

SOLAR PANELS; Owners in the Association may install solar energy collection devices and related wiring and equipment ("Solar Panels or Solar Shingles") on their Living units (the term "Living unit" shall refer to any single family home located on a Lot) in accordance with and subject to the rules and regulations contained herein.

RESTRICTIONS

Location

Owners are permitted to install Solar Panels **solely** on the roof of their Living units. The Owner shall propose in their Application to the Construction and Modification Committee a single side of the Living unit roof as to where the Solar Panels should be installed. *See Solar Panel Design Diagrams* attached as **Exhibit A and Exhibit B**.

Color

The Solar Panel metal as well as all supports or standoffs shall be black or dark brown in color and shall match as closely as possible with the color of the existing roof tiles.

Size

Solar Panels shall be no larger than the single side of the roof of the Living unit on which they are installed and shall have a setback of at least three feet from the outside edges of the roof and roof peak as depicted in **Exhibit B**. If elevated, the Solar Panels and Solar Panel supports or stand offs shall extend no more than four inches (4") above the roof sheeting.

Installation

Solar Panels shall only be installed by contractors properly licensed and insured in Maryland to install such equipment.

Any exposed, vertical conduit or other materials installed vertically on the home must be concealed in a conduit cover or wiring organizer that matches (in color) the surfaces such materials will be affixed to and must be neatly run and installed. Where possible, the vertical installation of materials in this section shall be installed alongside the downspout of the home.

All exterior work shall be performed between the hours of 8 am and 6:00pm, Monday through Saturday only.

Compliance with Maryland laws and ordinances

All Solar Panels and their installation and maintenance must be in compliance with all applicable Maryland laws, ordinances, zoning and building codes.

CONSTRUCTION & MODIFICATION COMMITTEE

Application

Prior to installing any Solar Panels, Living unit Owners must first submit an Application (“Application”) to the Construction and Modification Committee. The Application must contain the following items:

Plans and specifications, showing the equipment and color to be used and the installation location of the Solar Panels; and

Name of the contractor being used to perform the work; and

A certification that the Living unit Owner has complied with all applicable Maryland laws and ordinances. Copies of all permits, if applicable, once obtained, shall be submitted to the Construction and Modification Committee prior to installation; and

Approval

After the Construction and Modification Committee has reviewed the Owner’s Application for the installation of Solar Panels, the Construction and Modification Committee will submit a written recommendation to the Association’s Board as to whether the Application should be approved or rejected. The Board of Directors will review the recommendation from the Construction and Modification Committee and shall issue a letter to the Living unit Owner stating whether the Application was approved or denied.

No Living unit Owner shall install Solar Panels prior to receiving written approval from the Board of the Association that it has accepted the Living unit Owner’s Application for the installation of Solar Panels. Any Owner obtaining approval of the Construction and Modification Committee shall commence and complete installation in accordance with plans and specifications approved within six months after the date of approval, or within such other periods as are specified in the approval during which to commence or complete construction. If any such Owner does not commence work within the time period specified, the approval shall lapse.

Any Owner obtaining approval of the Construction and Modification Committee shall not deviate materially from the plans and specifications approved without the prior written approval of the Committee. Such Owner shall notify the Committee when the alterations or improvements are complete. Approval of any particular plans and specifications or design does not waive the right of the Committee to disapprove such plans and specifications, or any elements or features thereof, if

such plans and specifications are subsequently submitted for use in any other instance or by any other Owner.

Completion of Project

Upon the completion of the installation of Solar Panels in accordance with plans and specifications approved in accordance with the Association Documents, by the Construction and Modification Committee or the Board of Directors, the Committee shall, at the request of the Owner thereof, issue a certificate of compliance which shall be prima facie evidence that such installation referenced in such certificate has been approved and constructed or installed in full compliance with the provisions of the Declaration and with such other provisions and requirements of the Association Documents as may be applicable. The certificate shall not be used and may not be relied upon for any other purpose, and shall not constitute a representation either as to the accuracy or sufficiency of the plans and specifications reviewed by the Committee or the quality or soundness of the construction, alterations or improvements or as a substitute for governmental approvals or permits. The Committee may impose a reasonable charge to cover the costs of inspection and preparation of such a certificate.

Changes to Installation

If the Living unit Owner makes any changes to the installation of the Solar Panels after it has received written approval from the Board, the Living unit Owner must submit a renewed Application for approval to the Construction and Modification Committee and await a written approval of the renewed Application from the Board before making such changes.

MAINTENANCE, REPAIR, REPLACEMENT AND INSURANCE

All Solar Panels installed for a Living unit shall be considered part of that Living unit and the Living unit Owner shall be solely responsible for all installation, maintenance, repair and replacement costs associated with the Solar Panels on their Living unit.

All Solar Panels installed on a Living unit are considered an addition, betterment and/or improvement to the Living unit, and are not covered under the master insurance policies maintained by the Association. In addition, Solar Panels shall not be repaired or replaced by the Association in the event of a fire or other casualty. It is recommended that Living unit Owners obtain insurance coverage for Solar Panels under their individual separate insurance policies they maintain for their Living units.

Any Living unit Owner who has installed Solar Panels on their Living unit, shall be fully and solely responsible for the costs of repair for any damage caused to other Living units during the installation, maintenance, repair, or replacement of Solar Panels.

Any Living unit Owner that had Solar Panels installed on their Living unit prior to the approval of this Resolution, shall, when replacing Solar Panels on their Living unit, submit a new Application to the Construction and Modification Committee, as if the replacement was an initial installation, and be required to adhere to all provisions of this Resolution.

NON-COMPLIANCE AND DEFAULT; If a Living unit Owner fails to comply with any of the rules or regulations contained in this Resolution, then they shall be considered in violation of the Association's Declaration and may be subject to monetary fines, the suspension of privileges, legal action and/or any other rights or remedies afforded to the Association under the Declaration and the Association's Enforcement Procedure Policy.