ISSUE #1

MARKUP #1 ->

**Section 1: [Deed Restrictions & Architectural Control Rules, Section 8 (Energy Collectors & Clotheslines)] Prohibition**

No solar panels, wind turbines, exterior clotheslines, drying racks, or rain barrels shall be installed or maintained on any Lot or residence within Canadian Lakes unless hidden inside an enclosed structure approved by the Architectural Control Committee.

**Section 2: [CLPOC Rules & Deed Enforcement Policy, Section 12] Self-Help Entry onto Private Lots and Immediate Fin**

If any Lot Owner fails to maintain his or her Lot in accordance with CLPOC Rules, the General Manager may, after five (5) days' mailed notice, enter upon the Lot to remove non-conforming structures, vehicles, or debris and levy an immediate $250.00 fine plus abatement costs against the Owner's account without a prior hearing.



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE | BOARD & COUNSEL REVIEW

**Sec. 1 (p. 1): Clause prohibits solar energy systems, clotheslines, or other protected energy-saving improvements in conflict with the Michigan Homeowners' Energy Policy Act (2024 PA 68 / HB 5028).**

**Statutory / Legal Reference: Michigan Homeowners' Energy Policy Act, 2024 PA 68 (HB 5028), MCL 559.305 - 559.311**

Statutory Comparison: Under the Michigan Homeowners' Energy Policy Act (2024 PA 68 / HB 5028), any provision in a governing document that prohibits or requires homeowners association approval for a member to replace, maintain, install, or operate an energy-saving improvement or modification (including clotheslines, air source or ground source heat pumps, insulation, rain barrels, reflective roofing, or EV supply equipment) is invalid and unenforceable. Additionally, an association may not prohibit a member from installing a solar energy system on an owner-maintained roof or impose conditions that increase installation cost by more than $1,000 or decrease solar efficiency by more than 10%, and must approve or deny solar applications in writing within 30 days.

CURRENT WORDING IN DOCUMENT:
[Deed Restrictions & Architectural Control Rules, Section 8 (Energy Collectors & Clotheslines)] Prohibition o No solar panels, wind turbines, exterior clotheslines, drying racks, or rain barrels shall be installed or maintained on any Lot or residence within Canadian Lakes unless hidden inside an enclosed structure approved by the Architectural Control Committee.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
**Notwithstanding anything herein to the contrary, pursuant to the Michigan Homeowners' Energy Policy Act (2024 PA 68 / HB 5028), the Association shall not prohibit the installation or operation of energy-saving improvements (including clotheslines, heat pumps, rain barrels, and EV supply equipment) or rooftop solar energy systems. Any solar application shall be processed in writing within thirty (30) days of receipt in accordance with the Association's written Solar Energy Policy Statement.**