ISSUE #1

Section 1: [Article VII, Section 12] Prohibition of Solar Collectors and Wind Energy Devices

No solar energy collector, solar panel array, or wind energy conversion system shall be erected, installed, or maintained upon any roof or lot within Wellington Greens.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Clause prohibits or unreasonably restricts the installation of solar energy collectors in conflict with Neb. Rev. Stat. §§ 66-901 to 66-914.

Statutory / Legal Reference: Neb. Rev. Stat. §§ 66-901 to 66-914

Statutory Comparison: Under the Nebraska Solar Energy and Wind Agreement Act (Neb. Rev. Stat. §§ 66-901 to 66-914), the Legislature declared that the use of solar energy can help reduce the nation's reliance upon irreplaceable domestic and imported fossil fuels and provided statutory protections for solar energy collectors and solar skyspace.

CURRENT WORDING IN DOCUMENT:

[Article VII, Section 12] Prohibition of Solar Collectors and Wind Energy Devices No solar energy collector, solar panel array, or wind energy conversion system shall be erected, installed, or maintained upon any roof or lot within Wellington Greens.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Consistent with the Nebraska Solar Energy and Wind Agreement Act (Neb. Rev. Stat. §§ 66-901 to 66-914), the Association shall not prohibit the installation of solar energy collectors on an Owner's roof or Lot, subject only to reasonable aesthetic guidelines that do not significantly increase cost or decrease solar collector efficiency.