Section 1: [Section 5.4] Political Signs and Election Displays

Only one (1) political sign not exceeding 18 inches by 24 inches in size may be displayed on any Lot, and such sign may only be displayed during the period commencing thirty (30) days before a general election and must be removed within three (3) days following the election.

ISSUE #1

Section 2: [Section 6.12] Solar Energy Collectors and Roof Visibility

Solar energy panels and collectors may not be installed on any roof plane facing a street or the golf course, and the Architectural Design Review Committee may deny any proposed solar installation that in its judgment adversely impacts view corridors or aesthetic uniformity.

MARKUP #1 ->

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

Sec. 2 (p. 1): Architectural covenant prohibits or unreasonably restricts solar energy systems in violation of NRS 111.239.

Statutory / Legal Reference: NRS 111.239

Statutory Comparison: Under NRS 111.239, any covenant, restriction, or condition contained in a deed, contract, or other legal instrument which affects the transfer, sale, or any other interest in real property that prohibits or unreasonably restricts the owner of the property from using a system for obtaining solar energy on his or her property is void and unenforceable. An "unreasonable restriction" includes any restriction that decreases the efficiency or performance of the solar energy system by more than 10 percent of the amount that was originally specified for the system.

CURRENT WORDING IN DOCUMENT:

[Section 6.12] Solar Energy Collectors and Roof Visibility Solar energy panels and collectors may not be installed on any roof plane facing a street or the golf course, and the Architectural Design Review Committee may deny any proposed solar installation that in its judgment adversely impacts view corridors or aesthetic uniformity.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to NRS 111.239, any restriction that prohibits or unreasonably restricts a unit's owner from installing or using a system for obtaining solar energy on the owner's property (including any restriction that decreases the efficiency or performance of the system by more than ten percent (10%)) is void and unenforceable.