

Section 5.21. - Sample Provision Excerpt (Public Preview)

SOLAR COLLECTORS. No solar collector shall be installed without the prior written approval of the Architectural Review Committee. Any such installation shall be in harmony with the design of the Dwelling Unit and shall be installed in a location not visible from any street, unless otherwise approved by the Architectural Review Committee and the Board and as...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

**Sec. 5.21. (p. 26): Clause prohibits or over-restricts solar energy devices in conflict with Tex. Prop. Code § 202.010.**

**Statutory / Legal Reference: Tex. Prop. Code § 202.010**

Statutory Comparison: Tex. Prop. Code § 202.010 renders void any dedicatory instrument provision that prohibits or restricts a property owner from installing a solar energy device, unless one of the narrow statutory exceptions in § 202.010(d) applies. An association may not deny a front-facing roof installation if the owner demonstrates using the NREL PVWatts Calculator that an alternate roof orientation does not...

**CURRENT WORDING IN DOCUMENT:**

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**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**SOLAR COLLECTORS. No solar collector shall be installed without the prior written approval of the Architectural Review Committee. Any such installation shall be in harmony with the design of the Dwelling Unit and shall be installed in a location not visible from any street, unless otherwise approved by the Architectural Review Committee and the Board and as may be required by Chapter 202 of the...**