ISSUE #1

Section 3.11 - Sample Provision Excerpt (Public Preview)

No solar panels, external antennae, including satellite dishes (excepting satellite dishes of not greater than 24" in diameter), television antenna or radio towers of any type for any purpose, shall be permitted on any Lot at any time without the prior written approval of the ACC.

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3.11 (p. 1): Clause prohibits or unduly restricts the construction or operation of a solar or wind energy system in violation of Wis. Stat. § 236.292.

Statutory / Legal Reference: Wis. Stat. § 236.292 & 66.0401

Statutory Comparison: Under Wis. Stat. § 236.292, all restrictions on platted land that prevent or unduly restrict the construction and operation of solar energy systems (as defined in § 13.48(2)(h)1.g.) or wind energy systems (as defined in § 66.0403(1)(m)) are void.

CURRENT WORDING IN DOCUMENT:

No solar panels, external antennae, including satellite dishes (excepting satellite dishes of not greater than 24" in diameter), television antenna or radio towers of any type for any purpose, shall be permitted on any Lot at any time without the prior written approval of the ACC.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Notwithstanding anything herein to the contrary, pursuant to Wis. Stat. §§ 236.292 and 66.0401, no covenant or architectural rule shall prevent or unduly restrict the construction or operation of a solar energy system or wind energy system.