ISSUE #1

**Section 1: [Article VI, Section 14] Solar Panels and Roof Projections**

No solar panels, solar collectors, or related piping or wiring shall be installed on the roof of any dwelling or anywhere upon any Lot within Elkhorn Village.

MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

**Sec. 1 (p. 1): Architectural covenant prohibits solar energy collectors or photovoltaic systems in violation of the Wyoming Solar Rights Act (Wyo. Stat. Ann. §§ 34-22-101 to 34-22-106).**

**Statutory / Legal Reference: Wyo. Stat. Ann. §§ 34-22-101 to 34-22-106**

Statutory Comparison: Under Wyo. Stat. Ann. §§ 34-22-101 to 34-22-106 (Wyoming Solar Rights Act), the legislature declared that the beneficial use of solar energy is a property right and encouraged the use of solar energy collectors. Covenants that prohibit or unreasonably restrict the installation and beneficial use of solar collectors on an owner's structure violate Wyoming statutory solar policy.

CURRENT WORDING IN DOCUMENT:

[Article VI, Section 14] Solar Panels and Roof Projections No solar panels, solar collectors, or related piping or wiring shall be installed on the roof of any dwelling or anywhere upon any Lot within Elkhorn Village.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**Pursuant to the Wyoming Solar Rights Act (Wyo. Stat. Ann. §§ 34-22-101 to 34-22-106), nothing in the governing documents shall prohibit or unreasonably restrict the installation or beneficial use of a solar collector on an owner's roof or lot in compliance with applicable building codes and reasonable placement guidelines.**