

**THE COVE AT HYDE PARK HOMEOWNERS ASSOCIATION, INC.
RESOLUTION OF THE BOARD OF DIRECTORS
SOLAR ENERGY SYSTEM DESIGN GUIDELINES**

March 2021

WHEREAS, “Declaration” is the Declaration of Covenants, Conditions, and Restrictions for The Cove at Hyde Park, a Planned Unit Development in Cache County; and “Association” is The Cove at Hyde Park Homeowners Association, Inc.; and “Board of Directors” is the Board of Directors for the Association; and

WHEREAS, Article 6, Section 6.4 (3) authorizes the Board to establish, promulgate, amend, and repeal Rules governing the conduct of persons and the operation and use of the Association as it may deem necessary or appropriate in order to assure a clean, aesthetically pleasing, peaceful, and orderly use and enjoyment of the Association; and

WHEREAS, Article 9, Section 9.15 of the Declaration authorizes the Board to adopt rules and regulations for the installation of solar energy systems; and

WHEREAS, Article 10, Section 10.3 of the Declaration authorizes the Board to adopt Design Guidelines; and

WHEREAS, the Board of Directors desires to set forth design guidelines for the installation and use of solar energy systems; and

WHEREAS, this resolution shall be in effect until otherwise amended, modified, or rescinded by the Board; and

WHEREAS, this resolution shall apply to all homes within the Association; and

NOW, THEREFORE, BE IT RESOLVED that the following is adopted by the Board of Directors:

SOLAR ENERGY SYSTEM DESIGN GUIDELINES

The Board adopts these guidelines to ensure uniform installation and design of solar energy systems.

1. Solar energy systems of any kind may not be installed on any shared and/or common area roofs.
2. In accordance with the governing documents, all plans must be preapproved by the Architectural Review Committee (ARC) prior to installation. The ARC may charge a reasonable fee to review the application.
3. Preferred location of solar panels is either a ground-mounted array in the enclosed back yard of the house or a rear-facing, roof-mounted array that is not visible from street view. Flush-mounted panels (i.e. – the plane of the array is parallel to the roof) on a roof facing a street may be allowed if documentation is provided from the solar contractor indicating this is the most

feasible location for a solar array.

4. All components of the home solar system should be integrated into the design of the home. The color of the home solar system components should generally conform to the color of the roof shingles. Solar “shingles” that mimic the look of composite shingles are acceptable but should closely match the color of the current roof shingles.
5. The installation of all solar energy systems shall only be done by a licensed, insured, and bonded installer.
6. Applications submitted to the ARC shall include the following:
 - a. A diagram “drawn to scale” by the licensed contractor installing the system showing where the system will be installed;
 - b. Photos of the roof area where the array will be mounted;
 - c. Material to be used and/or manufacturer’s description of the system, photos and/or pictures of the system and color of the system. Where possible, provide photos of similar existing systems as examples.
7. Piping and electrical connections shall be located directly under and/or within the perimeter of the panels, when possible, and placed as inconspicuously as possible when viewed from all angles.
8. The highest point of a solar panel array shall be lower than the ridge of the roof where it is attached.
9. All surfaces shall be kept in good repair.
10. The location any appurtenances or additions to the home solar system, such as inverters, storage batteries, and the like, shall be approved by the ARC and shall be covered and secured for safety to insure against inadvertent entry or access.
11. The homeowner shall obtain a permit from the applicable city and/or county and shall comply with all applicable city, county, state and federal regulations and building codes.
12. It is the responsibility of the homeowner to ensure the chosen system installer adheres and abides by these design guidelines.
13. Failure by a homeowner to install a solar energy system in accordance with these guidelines, covenants outlined in the governing documents, and/or the outlined approval of the ARC may result in fines and/or other enforcement actions taken against the homeowner, including the homeowner being responsible for incurred reasonable attorney fees and costs.
14. Each homeowner who installs a solar energy system shall indemnify or reimburse the Association or a member of the Association for any loss or damage caused by the installation, maintenance, or use of the solar energy system, including costs and reasonable attorney fees incurred by the Association or a member of the Association. The Association may record a deed restriction against the homeowner’s lot identifying these responsibilities and obligations, with such restriction running with the land.