

LAKE SHANNON ASSOCIATION

SOLAR ENERGY POLICY

Adopted March 9, 2026

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ARTICLE I PURPOSE

This Solar Energy Policy (“Policy”) is adopted by the Lake Shannon Association (“LSA”) pursuant to the Michigan Homeowners’ Energy Policy Act (Act 68 of 2024) (“HEPA”) to establish reasonable standards and procedures governing the installation of solar energy systems by LSA Members while ensuring compliance with applicable law.

ARTICLE II DEFINITIONS

As used in this Policy:

- (a) “Common area” means any property, building, land, or amenities owned or managed by the LSA that is generally accessible to all members of the LSA.
- (b) “Member” means an owner of a lot that is within the Lake Shannon Territory and thereby a Member of the LSA.
- (c) “Policy” means the written solar energy policy statement described under Article I.
- (d) “Solar collector” means any of the following:
 - (i) An assembly, a structure, or a design, including passive elements, used for gathering, concentrating, or absorbing direct and indirect solar energy, or specially designed for holding a substantial amount of useful thermal energy, that transfers that energy to gas, solid, or liquid or uses that energy directly;
 - (ii) A mechanism that absorbs solar energy and converts it into electricity;
 - (iii) A mechanism or process used for gathering solar energy through wind or thermal gradients;
 - (iv) A component used to transfer thermal energy to a gas, solid, or liquid or convert thermal energy into electricity.
- (e) “Solar energy” means radiant energy received from the sun at a wavelength that is suitable for heat transfer, photosynthetic use, or photovoltaic use.
- (f) “Solar energy system” means a complete assembly, structure, or design of a solar collector, or a solar storage mechanism that uses solar energy for generating electricity or heating or cooling gases, solids, liquids, or other materials. Solar energy system includes the design, materials, or elements of a solar energy system and its maintenance, operation, labor components, and the necessary components, if any, of supplemental conventional energy systems designed or constructed to interface with a solar energy system.

- (g) “Solar storage mechanism” means equipment or elements including, but not limited to, piping and transfer mechanisms, containers, heat exchangers, batteries, or gases, solids, or liquids, or a combination of gases, solids, and liquids, that are used for storing solar energy gathered by a solar collector for subsequent use.

ARTICLE III APPLICABILITY

This Policy does not apply to the installation of a solar energy system in a common area.

ARTICLE III APPLICATION PROCESS

Section 1. Application

A. Application Requirements. A Member shall submit a written application for the installation of a solar energy system to the LSA’s Architectural Control Committee (ACC). The written application required under this subsection must include all of the following information:

- (a) The Member’s name;
- (b) The street address of the location where the solar energy system will be installed;
- (c) The name and contact information of the person that will install the solar energy system;
- (d) An image or diagram (drawn to scale) that shows the layout of the solar energy system on the Member’s home;
- (e) A description of the solar energy system to be installed, material to be used and/or manufacturer’s description of the system, photos and/or pictures of the system and color of the system.
- (f) Where possible, provide photos of similar existing systems as examples.

B. Application Fee. The fee for submitting an application to install a solar energy system may not be above that which is assessed for other applications related to a change to a Member’s lot or home.

Section 2. Review Process

A. Considerations When Reviewing Application. When reviewing a Member’s application, the ACC will consider all of the following:

- i. Solar energy systems may be installed on a roof face.
- ii. Installing a solar energy system does not require specific technology, such as solar shingles or traditional solar panels.
- iii. The approval of an adjacent lot owner is not required to approve a Member’s application to install a solar energy system on the Member’s home or unit.
- iv. Any standards enforced under this Policy may not reduce the estimated annual electricity production of the solar energy system by more than ten (10%) percent.

- v. Any standards enforced under this Policy may not increase the total cost of the installation of the solar energy system to the Member by more than \$1,000.00.
- vi. Inquiring into a Member's energy usage is prohibited.
- vii. No conditions that impair the operation of the solar energy system may be imposed.
- viii. No conditions that negatively impact any component industry standard warranty may be imposed.
- ix. Denying a Member's application to install a solar energy system because of the identity of the entity that owns the solar energy system or financing method chosen by the Member.

B. Design Standards.

So long as the following standards do not violate Section 2 A iv and v above:

- i. All components of the solar energy system should be integrated into the design of the home. The color of the solar energy system components should generally conform to the color of the roof shingles to the extent practical. Solar "shingles" that mimic the look of a composite shingle are acceptable but should match the color of the current roof shingles as much as is practical;
- ii. The solar energy system shall be installed by a licensed contractor,
- iii. Piping and electrical connections will 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.

C. Grounds for Denial or Removal. The ACC may deny an application to install a solar energy system or the LSA may require the removal of a solar energy system if one (1) or more of the following apply:

- i. A court has found that the installation of the solar energy system violates a law.
- ii. The installed solar energy system does not substantially conform with the Member's application to install the solar energy system as approved by the ACC.
- iii. It is determined that the solar energy system will be installed on the roof of the home of the Member requesting installation and one (1) or more of the following apply:
 - 1. The solar energy system will extend above or beyond the roof of that home by more than six (6) inches;
 - 2. The solar energy system does not conform to the slope of the roof and has a top edge that is not parallel to the roof line; or

3. The solar energy system has a frame, support bracket, or visible conduit or wiring that is not silver, bronze, or black tone that are commonly available in the marketplace.
- iv. The ACC has determined that both of the following apply:
1. The solar energy system will be installed in a fenced yard or patio rather than on the roof of a home; and
 2. The solar energy system will be taller than the fence line.

D. Deadline to Approve or Deny Application. The ACC must approve or deny the Member’s request to install a solar energy system submitted within thirty (30) days after receipt of the written application. If the ACC fails to approve or deny the Member’s request to install the solar energy system within thirty (30) days after receipt of the written application, a Member may proceed with the installation of the solar energy system in compliance with HEPA and the LSA may not impose fines or otherwise penalize the Member for complying with HEPA.

An approved solar energy system project must be completed within the time parameters set forth in, and is subject to LSA Bylaws, Article VIII, Section 3.2.

Section 3. Resubmission of Solar Energy System Applications

A. Resubmission of Application Prior to HEPA. If the LSA previously denied a Member’s application to install a solar energy system before HEPA was enacted, the Member may submit another written application to the LSA and the LSA’s ACC will reconsider the application under HEPA.

B. Resubmission of Application After HEPA. If the LSA denies a Member’s application to install a solar energy system after HEPA was enacted, the Member may later resubmit another written application to install a solar energy system.

ARTICLE IX POST-APPLICATION REQUIREMENTS

Section 1. Post-Installation Reporting

The LSA will not require post-installation reporting.

Section 2. Compliance with State and Local Laws

A Member shall comply with all local, state, and federal ordinances, rules, regulations, and laws when installing a solar energy system. This includes, but is not limited to, building codes and permit requirements.

Section 3. Maintenance, Repair, Replacement, and Removal

A Member who has a solar energy system is responsible for maintaining, repairing, and replacing the solar energy system so that it remains in good condition and repair. The LSA may require the removal of a solar energy system if it is not maintained according to this section or if one or more of the conditions outlined in Section 2B above apply.

Section 4. Damage

Damage to any person or property, including but not limited to damage to a lot or improvements on the lot of another Member or Common area, resulting from a Member's failure to adequately maintain, repair, or replace the solar energy system as outlined in Section 3 above, is the sole responsibility of the Member.

ARTICLE X DISTRIBUTION AND AVAILABILITY OF POLICY STATEMENTS

A copy of this Policy shall be made available to the LSA membership by posting on the LSA Website, within thirty (30) days after the adoption of the Policy, and shall be made available on request. So long as the LSA maintains an internet website, a copy will be posted on its website.

ARTICLE XI MISCELLANEOUS

- A. **Conflict Between LSA Bylaws and HEPA.** To the extent one (1) or more provisions within the LSA Bylaws violate HEPA, those provisions are invalid and unenforceable as contrary to public policy, and HEPA will control.
- B. **Conflict Between HEPA and Policy.** To the extent any provision within this Policy contradicts HEPA, that provision is void and unenforceable, and HEPA will control.
- C. **Invalidity or Repeal of HEPA.** If HEPA is found unenforceable under Michigan law or is repealed, this Policy will automatically be rescinded and no longer in effect.
- D. **Severability.** If any one or more of the provisions in this Policy is, for any reason, held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect any other provision of this Policy. This Policy will be construed as having never contained any invalid, illegal, or unenforceable provision.

This Solar Energy System Policy was adopted by the Board of Trustees for the Lake Shannon Association at its meeting on March 9, 2026.

BOARD OF TRUSTEES

LAKE SHANNON ASSOCIATION



By: Theresa Rago
Its: President