



Lakeshore Club of Polk County Homeowner's Association, Inc.



POLICY FOR THE INSTALLATION OF SOLAR POWER SYSTEMS

Introduction

The Lakeshore Club of Polk County Homeowners Association, Inc. ("Association") recognizes the right of Associations' members to install solar power systems as a mean of saving in energy bill, and that any unit owner may not be denied permission to install solar collectors or any energy devices within the premise of his (her) deeded property. Since these systems by its nature must be installed external to the home, the Association has developed this policy to assist homeowners in developing their solar projects within Association expectations, thereby minimizing the time for project review and approval by the Architectural Review Board and/or Association Board of Directors. The Association's Board of Directors recognizes the benefits of renewable energy sources, including solar power systems, and is committed to working effectively with owners in our community proposing solar power projects.

Legal Base

Florida Statute 163.04 forbids ordinances, deed restrictions, covenants, or similar binding agreements from prohibiting solar equipment use. Under this law, a homeowner member of a Homeowners Association may not be denied permission to install a solar power system, or any other energy device based on renewable resources. While a homeowner cannot be prevented from installing a solar energy system, certain restrictions may be imposed without violating the law. However, those restrictions must be reasonable, not arbitrary, and uniformly imposed on homeowners in the community. The restrictions cannot act to prevent the right performance of the solar power system or that it may be seen as if prohibiting the solar power system at all.

The law specifically prohibits a community Association from preventing the installation of solar collectors on the roof. The Association may determine where on the roof the collectors may be installed, so long as the installation is within the area required for its effective operation. The Association is, thereby, limited in imposing requirements that would effectively restrict the system's operating efficiency or increase the installation cost.

It is required to get the approval of a Homeowners Association prior to the installation of a solar system. Section 163.04 does not waive the need for Association approval.

Solar Power Systems Installation Procedure and Method

Based on Section 163.04 of Florida Statutes and its provisions, the Lakeshore Club Homeowners Association, Inc. has established the following policy rules regarding the installation of solar power systems by homeowners on units within the Lakeshore community:

1. All solar power system projects must be approved in writing by the Board of Directors, and the Architectural Review Board, prior to commencing any construction activities on the exterior of the unit. It is required that Association approval be obtained prior to seeking necessary city or county permits.
2. Although the Association has a strong preference for solar panels to be installed in the ground, it recognizes that solar panel installations can be roof mounted. However, extra cautious must be taken to avoid roof damage, and solar panels must stay a minimum of two (2) feet from the neighbor's unit roof property line.
3. The Association requires that roof-mounted panel designs be intended to conform to existing roofline geometry. A key element of maintaining architectural harmony within the community is to avoid deviations from existing rooflines within a given unit and alongside buildings units. Accordingly, designs that do not have the solar panels retaining the same angle as the existing roofline are not permitted. Any exposed electrical conduit must be colored to be color-matched to the roof or to the wall.
4. Proposals to install solar panels on the ground in front of units are not permitted. For the purpose of this policy, the front of the unit is understood to be the entrance from the parking lot. Panels must not extend beyond the unit allowable property line or into common area grounds.
5. Solar Power System applications for approval must include photos (or computer simulated) or drawings showing the specific proposed panel layouts and the location of any inverter hardware, or other system infrastructure, which is located on the exterior of the unit. The application must also identify the photovoltaic panel manufacturer and model number. As specification sheet is required

Certification and permits

Upon approval of the solar power system installation application, all items listed below must be submitted to the Lakeshore Club of Polk County Homeowners Association office prior to start of project.

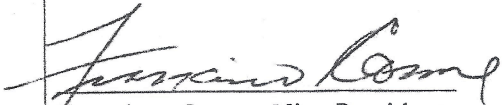
1. All applicable permits from Lakeshore and Polk County,
2. Agreement or consent from Peace River Electric Cooperative,
3. Name and certifications from the State of Florida of the company doing the installation,
4. Individual owner insurance company, letter of coverage to go into effect at the initiation of the project. Insurance must include Personal Liability Policy (PLP) coverage of at least \$250 Thousand for Tier 1 solar power and \$1 million for Tier 2 or higher.

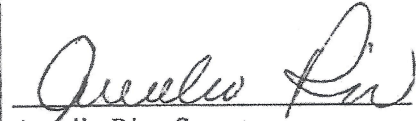
Responsibility and Liability Safeguards


1. Upon approval of the application applicants assumes full responsibility for:
 - a) Any damage caused to the building structure as a result of the installation, operation, maintenance and removal process of the solar panels and equipment.
 - b) Any damage caused to any common area and Association's property as a result of the installation, operation, maintenance and removal process of the solar panels and equipment.
2. The Association assumes no responsibility for and disclaims responsibility for any damage caused by the solar power system to other building structures, vehicles, or neighbors' property in the event of an emergency such as weather situations (storms, hurricanes, tornados).
3. Installation of solar panels is not required by the Lakeshore Homeowners' Association. It is the choice of each individual owner if they wish to choose this option

4. The Association assumes no responsibility for and disclaims responsibility for any accident or injury caused to any person as a result of the installation, operation, maintenance and removal process of the solar panels and equipment.

Approved by the Board of Directors on November 13, 2018.


Francisco Cosme-Vice President


Aurelio Rios-Secretary


José I. Solis-Treasurer


Lydia E. Torres-Director At Large

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amended on June 8, 2023