

**Wildfeather Property Owners Association**

**Homeowners' Energy Policy Statement**

Whereas, the Illinois legislature has enacted the Homeowners Energy Policy Statement Act (765 ILCS 165/5), and

Whereas, the legislative intent of the Act is to protect the public health, safety, and welfare by encouraging the development and use of solar energy systems in order to conserve and protect the value of land, buildings, and resources by preventing the adoption of measures which will have the ultimate effect, however unintended, of preventing the use of solar energy systems on any home that is subject to a homeowners' association, common interest community association, or condominium unit owners' association; and

Whereas, the Wildfeather Property Owners Association (WPOA) has determined that it is necessary and appropriate to adopt a Homeowners Energy Policy Statement in conformity with the Act;

***NOW THEREFORE IT IS RESOLVED*** that the following Energy Policy Statement is approved and adopted by the members of the board of directors of WPOA:

1. Definitions in this Statement.

"Solar energy" means radiant energy received from the sun at wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

"Solar collector" means:

- (1) an assembly, structure, or design, including passive elements, used for gathering, concentrating, or absorbing direct and indirect solar energy, specially designed for holding a substantial amount of useful thermal energy and to transfer that energy to a gas, solid, or liquid or to use that energy directly; or
- (2) a mechanism that absorbs solar energy and converts it into electricity; or
- (3) a mechanism or process used for gathering solar energy through wind or thermal gradients; or
- (4) a component used to transfer thermal energy to a gas, solid, or liquid, or to convert it into electricity.

"Solar storage mechanism" means equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, batteries, or controls thereof, and gases, solids, liquids, or combinations thereof) that are utilized for storing solar energy, gathered by a solar collector, for subsequent use.

"Solar energy system" means:

- (1) a complete assembly, structure, or design of solar collector, or a solar storage mechanism, which uses solar energy for generating electricity or for heating or cooling gases, solids, liquids, or other materials; and
- (2) the design, materials, or elements of a system and its maintenance, operation, and labor components, and the necessary components, if any, of supplemental conventional energy systems designed or constructed to interface with a solar energy system.

- 2. Application to ARC. Applications for installation and use of solar energy systems must be submitted to ARC for approval prior to commencing any work. The ARC application should include the location, design of the solar energy system, including preliminary sketches, materials, heights, and location of all components. The application will be processed by ARC within 30 days of the submission of a complete application. However, if an application is submitted before an energy policy statement is adopted by the WPOA, the application will be processed within 120 days from the date the property owner submitted the application. There is no application fee.
- 3. Location, Design, and Architectural requirements of Solar Energy Systems.
  - a. A property owner may not be denied permission to install a solar energy system by the ARC or by the board of directors of the WPOA;
  - b. However, the ARC may determine the specific configuration of the elements of a solar energy system on a given roof face, provided that it may not prohibit elements of the system from being installed on any roof face and that any such determination may not reduce the production of the solar energy system by more than 10%.
  - c. For the purposes of this Section, "production" means the estimated annual electrical production of the solar energy system.
  - d. All solar collector assemblies, structures and elements must be confined to the rooftops of existing structures or structures approved for construction by the ARC. Stand alone structures for the sole purpose of supporting the solar energy system are prohibited except as otherwise required by law.
  - e. Solar storage mechanism equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, batteries, or controls thereof, and gases, solids, liquids, or combinations thereof) must be concealed from view, by being located within a structure, vegetation or other screening as approved by ARC. Piping

and wire that is not readily concealed by screening should be painted to conform to the color of the structure.

- f. No solar energy system collection or storage system components may be located closer than 50 feet to the front lot line, 50 feet to the river or channel bank (where the land begins to slope down), or 10 feet to either side lot line.
  - g. A solar energy system shall meet applicable standards and requirements imposed by State and local permitting authorities.
  - h. All other Wildfeather Architecture and Building Requirements which are not inconsistent with this Statement or the Homeowners Energy Policy Act shall remain in full force and effect.
- 4. Wind energy collection, rain water collection, or composting systems are not permitted except as required by law.
- 5. Disclosure. The WPOA shall disclose, upon request, its energy policy statement, or make such statement available on its website.
- 6. Non-Applicability to Common Areas. This Statement shall not apply to the common elements or common areas owned by the WPOA.
- 7. Contrary Provisions Repealed: Except as permitted by the Homeowner's Energy Policy Act or as otherwise permitted by law:
  - a. Any provision of the declaration and by-laws, or exercise of any other power of the WPOA that prohibits, or has the effect of prohibiting, the installation of a solar energy system, is hereby repealed.
  - b. Any deed restrictions, covenants, or similar binding agreements heretofore adopted by the WPOA which prohibit or have the effect of prohibiting a solar energy system from being installed on a building erected on a lot or parcel covered by the deed restrictions, covenants, or binding agreements, is hereby repealed.
- 8. Board Adoption. This Resolution is adopted by the board of the WPOA as set forth in the attached action record and is made a part of the declaration and bylaws of the WPOA.

WILDFEATHER PROPERTY OWNERS' ASSOCIATION

ACTION RECORD

Resolution and By-Law Amendment to Adopt Homeowner's Policy Statement

Duly adopted at a meeting of the Board of Directors held: 4-9-24.

Motion by: Pat Greenway

Seconded by: Brian Piro

Vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
<u>Brian Piro</u> President	<u>X</u>			
<u>Donna Piro</u> Treasurer	<u>X</u>			
<u>Donna Piro</u> Secretary	<u>X</u>			
<u>Pat Greenway</u>	<u>X</u>			
<u>H. Piro</u>	<u>X</u>			
<u>Blaine Piro</u>	<u>X</u>			
<u>Amanda Hurley</u>				<u>X</u>