

ISSUE #1

Section 1: [Section 7.18] Prohibition of Solar Collectors and Exterior Energy Equipment

Solar energy collectors, photovoltaic roof panels, and solar thermal arrays are prohibited on all residential roofs and lots within 3 Creek Ranch unless completely concealed within an enclosed courtyard so as to be invisible from any angle, even if such concealment prevents beneficial solar collection.

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Section 7.18 (p. 1): Prohibiting or effectively preventing the beneficial use of solar energy collectors violates the Wyoming Solar Rights Act.

Statutory / Legal Reference: Wyo. Stat. Ann. §§ 34-22-102 to 34-22-105

Statutory Comparison: Under Wyo. Stat. Ann. § 34-22-103(a) and § 34-22-105, the beneficial use of solar energy is a property right, and local land-use and restrictive schemes may not prohibit or have the effect of prohibiting the installation and use of solar collectors on residential property.

CURRENT WORDING IN DOCUMENT:
[Section 7.18] Prohibition of Solar Collectors and Exterior Energy Equipment - Solar energy collectors, photovoltaic roof panels, and solar thermal arrays are prohibited on all residential roofs and lots within 3 Creek Ranch unless completely concealed within an enclosed courtyard so as to be invisible from any angle, even if such concealment prevents beneficial solar collection.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Amend Section Section 7.18 ([Section 7.18] Prohibition of Solar Collectors and Exterior Energy Equipment - Solar energy collectors, photovoltaic roof panels, and solar thermal arrays are prohibited on all residential roofs and lots within 3 Creek Ranch unless completely concealed within an enclosed courtyard so as to be invisible from any angle, even if such concealment prevents beneficial solar collection.) to conform with Wyo. Stat. Ann. §§ 34-22-102 to 34-22-105 and the manual attorney audit recommendations for 3 Creek Ranch Homeowners Association.