

# **TORRINGFORD FARMS ASSOCIATION, INC.**

## **SOLAR PANEL INSTALLATION AND MAINTENANCE RULES**

*Torriford Farms Association, Inc. (the "Association") is empowered to adopt rules governing (1) the size and manner of affixing, installing or removing a solar power generating system; (2) the unit owners' responsibilities for periodic upkeep and maintenance of such solar power generating system; and (3) a prohibition on any unit owner installing a solar power generating system upon any common elements of the Torriford Farms common interest community (the "Community").*

*As authorized by law, below are rules governing the installation and maintenance of Solar Panels in the Community.*

1. Unit Owners who seek to have Solar Panels installed on the roof of their Unit (the "Unit Owner") shall submit to the Executive Board the specifications of the solar panels to be installed (the "Solar Panels") at least 30 days prior to their installation.
2. The Unit Owner shall engage only licensed, insured, and experienced solar panel contractors to install and maintain the Solar Panels. Documents evidencing such licensure and insurance coverage shall be provided to the Executive Board upon request or, under any circumstance, no later than 10 days prior to their installation.
3. The Unit Owner shall provide to the Executive Board a copy of any solar lease or power purchase agreement between the Unit Owner and any solar panel lessor or contractor, and any amendments thereto, upon request or, under any circumstance, no later than 10 days prior to the installation. Such documents shall include, among other things, the name and contact information for the vendor and contractor, and the terms and conditions of the agreement.
4. The Solar Panels shall have one uniform color, shall be all black with an all-black racking system, and shall only be installed on the Unit's roof. All panels are to be installed vertically.
5. The Solar Panels may only be installed on the rear side of the Unit's roof, in the least visible location from the front of the Unit, unless such requirement has the effect of prohibiting their installation or rendering the Solar Panels ineffective.
6. Any metal conduits that carry electrical wires from or to the Solar Panels shall be hidden and run down the inside of an exterior wall. Any Power Cells and/or Batteries must be installed in the garage.
7. The Unit Owner shall abide by all applicable federal, state and local laws and ordinances with respect to the installation, maintenance and removal of the Solar Panels.
8. The Unit Owner shall be required to maintain the Solar Panels in good condition and ensure that they are safely affixed to the roof of the Unit.

9. The Unit Owner shall indemnify, defend and hold harmless the Association, its respective directors, officers, employees, members and agents (collectively, the “Indemnitees”), from and against any and all damages, claims, losses, expenses, costs, obligations and liabilities (including, without limitation, reasonable attorney’s fees), suffered directly or indirectly by any of the Indemnitees, caused by, arising out of, or in connection with, the Solar Panels, including without limitation, (i) the installation and maintenance of the Solar Panels, (ii) any failure by the Unit Owner to perform or fulfill any of their obligations set forth in the Association’s Declaration, Bylaws and Rules and Regulations, including those in these Solar Panel Installation and Maintenance Rules; or (iii) any violation of the law, negligence or intentional misconduct of the Unit Owner, any contractor or subcontractor of the Unit Owner, or any of their respective employees or agents. Any and all expenses, fees or costs arising from damage to persons, properties, the Association or the Community, including the common elements, limited common elements or units, caused by the Solar Panels, including without limitation, their installation, maintenance or removal, shall be the responsibility of, and solely borne by, the Unit Owner.

10. No solar panels may be installed on any common elements of the Association or on any location other than the roof of the Unit.

11. If any provision of these Solar Panel Installation and Maintenance Rules is held by a court of competent jurisdiction to be contrary to law, the remaining provisions of these Rules, shall remain in full force and effect.

12. The Association may take any action allowed, or not prohibited, by law, its Declaration, Bylaws, or Rules, in response to a violation of these Solar Panel Installation and Maintenance Rules or to otherwise preserve or protect the Community and its residents.

**After Notice and Comment, approved by the Executive Board on May \_\_\_\_, 2023.**

**Torrington Farms Association, Inc.**

By: \_\_\_\_\_  
\_\_\_\_\_, its President