

AUTUMN FIELDS HOMEOWNERS ASSOCIATION ENERGY POLICY STATEMENT

In accordance with the requirements of the Homeowners' Energy Policy Statement Act (the "Act"), 765 ILCS 165/1 et seq., the Autumn Fields Homeowners Association (the "Association") has established and adopted this Energy Policy Statement to address the use of renewable energy. The Association desires to set reasonable rules and guidelines for members of the Association ("Owners") in regard to the installation of Solar Energy Systems (sometimes referred to as Solar Power Devices), or any of their components and mechanisms, commonly known as solar panels, solar inverters, solar collectors, solar storage mechanisms, and their accessory components both electrical and mechanical, and to prohibit the installation of wind energy systems. The installation and design of alternative energy systems shall be in accordance with the following provisions:

I. Definitions.

The Association adopts the following definitions:

- a) "Solar Energy" means radiant energy received from the sun at wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic use.
- b) "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.
- c) "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.
- d) "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.

II. Prohibited Installations.

No Owner shall allow a wind energy system or wind turbine to be installed on the Owner's property within the Autumn Fields subdivision. The construction of any renewable energy systems or other structures related to sustainable green resources not specifically addressed in this energy policy statement is also prohibited without the specific approval of the Homeowners Association Board (the "Board").

III. Solar Energy Systems Installations.

- a) Exterior additions, appurtenances, attachments or modifications such as satellite dishes and solar panels are prohibited under the Autumn Fields Declarations and By-Lays. A statutory exception has been created pursuant to 765 ILCS 165/1et seq. allowing for the installation of Solar Energy Systems. As required by the Statute, the Autumn Fields HOA shall permit the installation of Solar Energy Systems for so long as the above statute remains in force and effect. Should the statute expire, be repealed or declared invalid, then any Solar Energy System installed during the pendency of the Act is subject to removal at the Homeowner's expense.

An Owner seeking to install a Solar Energy System shall submit an application to the Architectural Review Committee of the Board (ARC) in a form acceptable to the Architectural Committee for written approval. The Solar Energy System shall not be installed until such time as the application is approved in writing. The application shall include the following documents and materials:

1. Completed building permit application;
2. Plat of survey;
3. Copy of the State of Illinois Distributed Generation Installer Certificate;
4. Signed copy of the solar panel installation Contract;
5. A copy of the electrical contractor's license from a municipality that has an established electrical commission board and administers tests on a regular basis;
6. A copy of the electrical contractor's letter of intent;
7. An approved copy of the interconnection agreement between the Homeowner and the local energy supplier;
8. A copy of the structural certification report for the installation of roof-mounted solar panels, completed by an architect licensed in the State of Illinois;
9. The manufacture's specifications and installation instructions for solar panel support system, solar panels, combiner boxes, and inverters;
10. A set of plans for the roof-mounted solar panel installation;
11. Letters from the Village of Frankfort and Frankfort Fire Protection District showing that the applicant has met all code requirements (with the exception of HOA approval);
12. A copy of the Site Plan identifying:
 - a. Set back dimensions of solar panels on roof from eaves, ridges, valleys, hips and gable ends;
 - b. Roof material type, slope, rafter size, spacing and length;
 - c. Location of electrical utility meter, inverter, micro inverter, combiner box, junction box, disconnects, conduit and main service panel;
 - d. Roof mounting solar panel support system layout; and

- e. Solar array electrical one-line diagram signed and stamped by an Illinois licensed electrical engineer detailing PV calculations, amperages, conductors, conduits, grounding, bonding, panels, and disconnects.
13. The Owner shall furnish the ARC a copy of the Village of Frankfort post installation electrical inspection verifying code compliance.
14. Upon receipt of the completed application, the Architectural Review Committee shall have 30 days to review the Owner's request for installation of a Solar Energy System.
15. It is recommended that the Owner obtain the approval by the Architectural Committee before signing a Contract with the solar company, installer and electric distribution company.
16. Approval by the Architectural Review Committee only means the proposed Solar Energy System meets the standards of the Association and does not exempt the Owner from obtaining the necessary approval from the electric distribution company or appropriate approvals and permits from the Village of Frankfort.
17. All of the work necessary to complete the Solar Energy System installation must take place on the Owner's property, and none of the work shall be permitted in the common areas of the Association or on a neighbor's property.
18. The Owner shall not schedule with third parties for delivery of material or installation of structures until the Architectural Review Committee has granted approval, and all necessary permits and approvals by the Village of Frankfort have been obtained.
19. The Owner who has requested the installation of the Solar Energy System bears all risks and costs regarding its installation, maintenance and removal.
20. Any additions, alterations, or modifications that are required to be made to the Solar Energy System after the Association approves the Owner's application shall require subsequent application and approval from the Architectural Review Committee through the application process described above, and all additional necessary permits and approvals by the Village of Frankfort.
21. In the event that the Solar Energy System becomes inoperable or falls into disrepair, is damaged, cracked or discolored for 90 days or more, then the Owner shall remove the system and all of its components and restore the roof to its pre-installation condition.
22. In the event that the Solar Energy System is rented, and the rental company becomes insolvent, undergoes an assignment to creditors, declares bankruptcy or is subject to an involuntary bankruptcy proceeding, then in such event the Owner shall

remove the Solar Energy System and restore the roof to its pre-installation condition.

23. The HOA does not specify the manufacturer, design or type of Solar Collector however, all Solar Collectors, trim pieces, conduit and visible equipment shall a color that is esthetically pleasing and complements the general color scheme of the Owners home.
24. Installation of Solar System shall not negatively impact neighboring properties. At no point during the year shall the Solar System or any related component to the installation and operation of the Solar System reflect light on neighboring properties. Upon discovery of such a condition, the adjacent property owner shall notify the Owner, and the Owner shall adjust the Solar System so as to remove the negative impact, and failing that, the system shall be removed.

IV. Location of Solar Energy Systems.

- a) The installation of all Solar Collector as part of a Solar Energy System installation shall be entirely on the roof of an existing dwelling. Ground arrays are not permitted.
- b) No part of the Solar Energy System, Collector or Storage Mechanism shall be placed in a location where it is visible from the right of way.
- c) The Solar Storage Mechanism, including but not limited to piping and electrical connections, shall be located directly under the Solar Collector or supporting structure and placed as inconspicuously as possible when viewed from all angles.
- d) The roof-mounted Solar Energy Systems shall be installed on the rear slope of the roof or on the side of the dwelling so as not to be visible from the front of the dwelling. The Solar Energy System shall not be installed on any side or corner of the dwelling or on any other apparatus, and shall be installed within an orientation to the south or within forty-five (45) degrees east or west of due south, provided that such installation does not reduce the production of the Solar Energy System by more than 10%. For purposes of this subsection, "production" means the estimated annual electrical production of the Solar Energy System.
- e) The solar panels must have as low a profile as possible in order to reduce their visibility and shall not to exceed the height of the roof peak.
- f) Care shall be taken by the Owner to minimize visibility of his or her Solar Energy System and to make all of its components blend in with the aesthetics of the Owner's property so as to be as invisible and unobtrusive as possible.

V. Maintenance of Solar Energy Systems.

It is the Owner's responsibility to maintain the Solar Energy System regardless whether the System is owned or rented. Any Solar Energy System that becomes damaged, cracked, discolored, broken, destroyed, or is no longer in use must be removed or repaired within ninety (90) days after such initial damage, destruction, or disuse. In such event, the HOA shall provide notice the Homeowner, and 90 days thereafter may assess fines if the condition of the Solar Energy System has not been remedied.

VI. Sale of Home.

At such time as the Owner decides to sell the home, the Owner must furnish the HOA with a statement signed by the Owner and Buyer affirming that the Solar Energy System is fully operational and in good repair, that the Buyer wants the system and will keep it in good repair, and that the Buyer has entered into a Lease with the solar provider (with a copy of the Lease). In the event that the Buyer does not want the Solar Energy System for any reason, it shall be the Owner's responsibility to completely remove the System and restore the roof to its pre-installation condition. In the event the Owner fails to meet these requirements, the HOA has the right to have the Solar Energy System removed, assess fines, and/or place a lien on the property.

VII. Rain Barrels and Composting Systems.

Owners may have a small composting system and/or or a rain water collection system up to 55 gallons provided the system is shielded by vegetation or a barrier of some type so that it is not visible from the right of way or visible to neighbors. In the event the composting system emits a bad odor, attracts insects, rodents or other animals, then it will be removed.