

WILLOW CREEK

Single Family Homeowners Association
1879 N Neltnor Blvd. #165
West Chicago, IL 60185
Voice Mail: 630.301.6908
Email: willowcreekhomes@yahoo.com

January 27, 2023

Dear Homeowner,

This communication serves as your notice that the Willow Creek Single Family Homeowners Association Board has approved the attached document to bring our current Declaration of Covenants, Conditions and Restrictions in compliance with the State of Illinois Homeowner Solar Rights Act.

The Bill 2408 was passed by the Illinois House and Senate and signed into law by Governor J. B. Pritzker on September 15, 2021.

As a non-for-profit entity, we are required to comply with this State legislation.

This document will be available on our website under Documents.

Thank you.

Willow Creek Single Family Homeowners Association
Board of Directors.

Willow Creek Single Family Homeowners Assoc. Energy Policy Statement

WHEREAS, the Willow Creek Single Family Homeowners Assoc. (“Association”) is a residential association and a not-for-profit corporation organized and existing under the laws of the State of Illinois; and

WHEREAS, the affairs of the Association are managed by its Board of Directors (“Board”); and

WHEREAS, the Association and its Board are responsible for managing certain real estate in the County of DuPage, State of Illinois (“Property”), which Property is subject to the provisions of the Declaration for Willow Creek Single Family Homeowners Association, which was recorded as Document Number R88-052049 in the Office of the DuPage County Recorder of Deeds, Illinois (“Declaration”), as amended from time to time; and

WHEREAS, the Board is charged with the enforcement of the Declaration for the Association, the Association’s By-Laws, the Association’s Rules and Regulations, and all amendments thereto; and

WHEREAS, the Association is bound by the Homeowners’ Energy Policy Statement Act (“Act”), 765 ILCS 165/1 et seq., and

WHEREAS, the Act requires that the Association adopt an energy policy statement within ninety (90) days after it receives a request to install a solar energy system; and

WHEREAS, the Board has received a request to install a solar energy system.

NOW, THEREFORE, BE IT RESOLVED that the Board has reviewed and approved the energy policy statement listed below in compliance with the Act.

ENERGY POLICY STATEMENT

The installation of alternative energy systems shall be in accordance with the following provisions:

I. Definitions.

a) Solar Energy System - a system and its component parts which uses radiant energy from the sun for generating electricity or for heating or cooling gases, solids, liquids, or other materials, including, but not limited to solar panels, which are either building or ground-mounted.

- b) Compost System - a system and its component parts used for the storage for the decomposition of organic materials into compost.
- c) Wind Energy System - a system and its component parts used for transferring energy from the wind into electricity or power, including but not limited to turbines.
- d) Rain Water Collections Systems – a system and its component parts that collect water from the rain for use.

II. Prohibited Installations.

- a) No Compost Systems nor Wind Energy Systems, nor Rain Water Collection Systems shall be installed or maintained on the Property.

III. Solar Energy System Installation - Application.

- a) As with any exterior addition or modification, an Owner seeking to install a Solar Energy System shall submit an application for written approval by the Board. The Solar Energy System shall not be installed until such time as the application is approved in writing. The application shall include the plans and specifications, showing the nature, height, kind, shape, elevation, material and location of the proposed Solar Energy System.

- b) The Board shall have seventy-five (75) days to respond to an application for the installation of a Solar Energy System.

- c) The Board may have the application documents submitted by the Owner reviewed by an independent architect or engineer knowledgeable and experienced in Solar Energy System installation to confirm that the proposed installation complies in all respects with this Policy. All reasonable costs associated with this review shall be charged to the applying Owner.

- d) The installation of any Solar Energy System that has been approved by the Board shall be installed by a professional licensed and bonded contractor, and shall comply with any applicable standards and requirements imposed by the State or local government. The installation of the Solar Energy System shall be in strict compliance with the plans and specifications that were approved by the Board. The Owner shall be responsible to obtain all permissions and permits, and shall submit copies of same to the Board upon request.

IV. Location of Solar Energy Systems.

a) All Solar Energy Systems shall be installed on the roof of the home. No ground installations are allowed.

b) To the greatest extent possible, each Solar Energy System shall be installed on the rear portion of the roof (the portion of the roof that faces away from the street).

c) The Solar Energy System shall not be installed on the front roofline of a home unless it is impossible for a Solar Energy System to be placed on the rear roofline without reducing the production of the Solar Energy System by more than ten percent (10%). Sworn documentation must be provided from the solar energy contractor indicating that the front roofline is the only feasible location for the effective operation of the Solar Energy System. For purposes of determining whether a Solar Energy System will be effective, the sole determining factor will be whether the proposed Solar Energy System will provide reasonably sufficient energy for the home at issue, under normal use conditions, and the suggested location will not reduce production by more than ten percent (10%).

d) All components of the Solar Energy System shall be integrated into the design of the home. The color of the Solar Energy System shall generally conform to the color of the roof material to the greatest extent possible. No conduit may be exposed or visible.

e) Panels should be mounted as close to flat on the roof as possible with minimal spaces between panels. No part of the Solar Energy System should be visible above the peak of the roof. All solar panels that are installed on a roof are required to have bird and squirrel deterrent metal wire mesh or other deterrent installed along the perimeter of the solar panels, which are designed to prevent the attraction of pests that nest under the solar array, thereby maintaining aesthetics. Skirting must be installed in all instances.

V. Maintenance of Solar Energy Systems.

a) Solar Energy Systems must be maintained in good repair and working order by the Owner, at the Owner's sole cost and expense.

b) Any Solar Energy System that is damaged, destroyed, or no longer in use must be removed or repaired within ninety (90) days after such initial damage, destruction or disuse. The Board may, in its discretion, send written demand that an Owner take action pursuant to this Paragraph V(b), and Owner shall take the demanded action within ninety (90) days from the date of the notice, at the Owner's sole cost and expense. The Board's determination pursuant to this Paragraph V(b) shall be final and binding.

c) Should any Owner who has installed a Solar Energy System sell, gift, devise, or otherwise transfer ownership of the home, the Owner shall either remove the Solar Energy System and restore the roof to its original condition, or shall require the purchaser or other taker of title to be bound in writing to the provisions of this Paragraph V.

In the event relevant Illinois law or statute is rescinded, revised, amended or changed in any way, the Board of Directors reserves the right to revise, amend or change this Energy Policy Statement in accordance with said rescission, revision, amendment and/or change of Illinois law or statute.

RESOLUTION ACTION RECORD

Adopted by the Board of Directors of the Willow Creek Single Family Homeowners Assoc. on

January 12, 2023.

Jana R. [Signature] PRESIDENT
Garth M. Bruce
Secretary

Marc Fidanza
MARCO FIDANZA, VICE PRESIDENT

Frank [Signature]
Frank Castonova Board member

Kathleen A. Puffer
Kathleen A. Puffer, TREASURER

Resolution effective January 12, 2023