

Shoreline Oaks HOA Master Association
2150 Sky Crest
Corpus Christi, TX 78418
shorelineoakshoa@yahoo.com

Policy on Solar Panels or Solar Energy Device

Shoreline Oaks HOA will follow the Texas Property Code Sec. 202.010 on Solar Panels fully and completely. You may refer to the summary below. If this summary is incomplete or misleading then please refer to the law. It has been copied and pasted at the end of this document. Texas law dictates final decision. If the Texas law is changed, then Shoreline Oaks HOA/Architectural Control Committee(ACC)/Board will follow the changes.

You may not install a solar energy device that threatens public health or safety or violates a law.

You may not install a solar energy device on property owned by the Shoreline Oaks HOA or Community Property or Public Property.

You may install a solar energy device on your own property only.

It may be on the roof of your home or other permanent structure if it does not extend higher than the roofline, conforms to the slope of the roof and has a top edge that is parallel to the roofline. Also the frame, support bracket or visible piping/wiring should be silver, bronze or black.

It may be installed in a fenced yard or patio, but may not be taller than the fence line.

The installation proposal must be submitted and approved by the Shoreline Oaks HOA/ACC/Board.

Shoreline Oaks HOA Covenants and Restrictions Amended effective May 6, 2019 Item F.2 (pg 9 of 13)

Submit your plan to the Shoreline Oaks HOA/ACC/Board. Within 30 days the Board will notify you if more information is required. If you are not notified of disapproval within 45 days after complete submission, then your plans are approved.

The Shoreline Oaks HOA/ACC/Board assumes NO LIABILITY.

Proposal may be submitted by:

email to: shorelineoakshoa@yahoo.com

mail to: Shoreline Oaks HOA Master Association
2150 Sky Crest
Corpus Christi, TX 78418

Drop in the drop-slot at the Shoreline Oaks HOA Clubhouse. (the "mail to" address above.)

TEXAS PROPERTY CODE

TITLE 11. RESTRICTIVE COVENANTS

CHAPTER 202. CONSTRUCTION AND ENFORCEMENT OF RESTRICTIVE COVENANTS

Sec. 202.010. REGULATION OF SOLAR ENERGY DEVICES. (a) In this section:

(1) "Development period" means a period stated in a declaration during which a declarant reserves:

(A) a right to facilitate the development, construction, and marketing of the subdivision; and

(B) a right to direct the size, shape, and composition of the subdivision.

(1-a) "Residential unit" means a structure or part of a structure intended for use as a single residence and that is:

(A) a single-family house; or

(B) a separate living unit in a duplex, a triplex, or a quadplex.

(2) "Solar energy device" has the meaning assigned by Section 171.107, Tax Code.

(b) Except as otherwise provided by Subsection (d), a property owners' association may not include or enforce a provision in a dedicatory instrument that prohibits or restricts a property owner from installing a solar energy device.

(c) A provision that violates Subsection (b) is void.

(d) A property owners' association may include or enforce a provision in a dedicatory instrument that prohibits a solar energy device that:

(1) as adjudicated by a court:

(A) threatens the public health or safety; or

(B) violates a law;

(2) is located on property owned or maintained by the property owners' association;

(3) is located on property owned in common by the members of the property owners' association;

(4) is located in an area on the property owner's property other than:

(A) on the roof of the home or of another structure allowed under a dedicatory instrument; or

(B) in a fenced yard or patio owned and maintained by the property owner;

(5) if mounted on the roof of the home:

(A) extends higher than or beyond the roofline;

(B) is located in an area other than an area designated by the property owners' association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the device if located in an area designated by the property owners' association;

(C) does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; or

(D) has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;

(6) if located in a fenced yard or patio, is taller than the fence line;

(7) as installed, voids material warranties; or

(8) was installed without prior approval by the property owners' association or by a committee created in a dedicatory instrument for such purposes that provides decisions within a reasonable period or within a period specified in the dedicatory instrument.

(e) A property owners' association or the association's architectural review committee may not withhold approval for installation of a solar energy device if the provisions of the dedicatory instruments to the extent authorized by Subsection (d) are met or exceeded, unless the association or committee, as applicable, determines in writing that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making a determination under this subsection, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

(f) During the development period for a development with fewer than 51 planned residential units, the declarant may prohibit or restrict a property owner from installing a solar energy device.

Added by Acts 2011, 82nd Leg., R.S., Ch. 939 (H.B. 362), Sec. 1, eff. June 17, 2011.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 126 (S.B. 1626), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 126 (S.B. 1626), Sec. 2, eff. September 1, 2015.