



THE PHEASANT VIEW HOMEOWNERS' ASSOCIATION

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SOLAR ENERGY POLICY STATEMENT

Adopted: March 9, 2026

Effective: April 1, 2026

1. PURPOSE

This Solar Energy Policy Statement (“Policy”) is adopted to comply with Michigan’s Homeowners’ Energy Policy Act number 68 of 2024 (2024 PA 68 MCL 559.301 et seq.). This Policy is intended to provide a clear and efficient process for members of the association to install solar energy systems while maintaining reasonable community standards, consistent with applicable local, state, and federal law.

2. DEFINITIONS

2.1 For purposes of this Policy:

- (a) “Member” means an owner of a home within the authority of the Association.
- (b) “Solar energy system” has the meaning provided in MCL 559.303 / 559.309 and includes the solar collector(s), related components, and necessary ancillary equipment installed to generate electricity or provide heating and/or cooling.
- (c) “Production” means the estimated annual electrical production of the solar energy system.
- (d) “Association” means Pheasant View Homeowners’ Association, Inc., Canton Township, Michigan 48188.

3. GENERAL REQUIREMENTS and MEMBER RIGHTS

3.1 **Adjacent-owner approval not required.** Approval of an adjacent member is not required to approve a member’s application to install a solar energy system.

3.2 **Association prohibitions.** The Association will not:

- (a) inquire into a member’s energy usage.
- (b) impose conditions that impair the operation of a solar energy system.
- (c) impose conditions that negatively impact any component industry-standard warranty.

- (d) require post-installation reporting.
- (e) require a fee for applying to install a solar energy system above that which it assesses for other applications related to a change to the property.
- (f) prohibit a member from re-submitting a written application to install a solar energy system after a written application submitted after the effective date of the Act was denied by the Association.

3.3 Solar Energy system location. This policy may not prohibit elements of the solar energy system from being installed on a roof face. MCL 559.309(1)(b).

3.4 Technology mandates. This Policy does not require use of any specific solar technology (e.g., solar shingles vs. panels) and does not prohibit elements of a solar energy system from being installed on a roof face. MCL 559.309(1)(c).

3.5 Denial based on financing or ownership. The Association will not deny a member's application to install a solar energy system because of the identity of the entity that owns the solar energy system or the financing method chosen by the member.

3.6 Cost or production guardrails. The standards identified in this policy cannot result in more than a ten percent (10%) reduction in the production of electricity or increase the total cost of installation to the member by more than \$1,000.00. MCL 559.309(1)(d).

3.7 Code and permit compliance. Members must comply with all applicable state, county, and Canton Township building codes and permit requirements in connection with installation and operation of solar energy systems.

3.8 Policy contradiction. This policy cannot include a provision that contradicts the State of Michigan Homeowners' Energy Policy Act. MCL 559.309(1)(e).

4. POLICY MODIFICATIONS TO COVENANTS and RESTRICTIONS

4.1 Energy Policy Act mandates. Beginning on the Effective Date of this Policy, certain member restrictions expressed within the Association's Amended and Restated Declaration of Covenants and Restrictions which became effective on June 27, 2025, may be non-enforceable with the passing of Act sixty-eight (68). A revision of the association's Amended and Restated Declaration of Covenants and Restrictions is not required by law; however, by this policy the following restriction is hereby modified:

- (a) **ARTICLE XI – BUILDING AND USE RESTRICTIONS; Section 37. Solar Provision:** “ ... The Board of Directors shall have the ability and power to establish an energy policy statement regarding the application, approval, installation, usage, maintenance, and operation of all such systems. Such policy shall include, by way of illustration, the location, design, architectural, aesthetics, responsibilities, schedule for preventative maintenance, or other requirements

pertaining to such solar energy systems *in accordance to the provisions set forth in the Michigan Homeowners' Energy Policy Act 68 of 2024 (2024 PA 68 MCL 559.301 et seq.)*. ...”

- 4.2 **Clothes lines.** The use of a clothesline is permitted. This Policy shall allow the Association to restrict the use of any clothesline from being constructed, erected, or otherwise used in a front or side yard of a dwelling, therefore not visible from the front elevation.
- 4.3 **Railing.** The use of a porch railing to drape articles of clothing, linen, blankets, mats, carpets, rugs, or other equivalent items to dry, is permitted. This Policy shall allow the Association to restrict the use of any railing used as a clothesline to only the rear of a dwelling, therefore not visible from the front elevation.
- 4.4 **Heat pumps.** The installation and use of a heat pump is permitted. This Policy shall allow the Association to restrict the placement of a heat pump to correlate with **Article XI, Section 4** of the Amended and Restated Declaration of Covenants and Restrictions of the Association.
- 4.5 **Solar water heaters.** The installation and use of a solar water heater is permitted. This Policy shall restrict the hot water storage tank to be located within the interior of the dwelling.
- 4.6 **Rain barrels.** The use of rain barrels is permitted. This Policy shall allow the Association to restrict the placement of any rain barrel to the side and rear of the dwelling therefore not visible from the front elevation. Rain barrels must be a color which matches the member's dwelling architectural components and aesthetics.
- 4.7 **Electric vehicle supply equipment.** Electric vehicle supply equipment (EV charging station) is permitted. This Policy allows the Association to restrict the installation and use of electric vehicle supply equipment to inside the garage of the dwelling. Such charging stations shall not be visible on the exterior of the dwelling.

5. APPLICATION PROCESS

- 5.1 **Written application required.** Beginning on the Effective Date of this Policy, a member intending to install a solar energy system must submit a written application to the Association either by United States Postal Service first class mail to the association's registered address or post office box, or to the Association's Architectural Review Committee via electronic mail.
- 5.2 **Required application contents.** The written application must include:
- (a) Member's name.
 - (b) Street address where the solar energy system will be installed.
 - (c) Name and contact information of the installer.

- (d) Person or entity performing installation.
- (e) An image(s) or drawing(s) showing the layout and exact placement of the system on the home. An architectural drawing or engineering draft is strongly preferred.
- (f) A description of the system to be installed including the type, approximate size, energy capacity of power generation, and brief equipment description is additionally requested.

5.3 Association Review timeline. Except as otherwise provided by law, the Association will approve or deny the application within thirty (30) days after receipt of a complete application.

5.4 Effect of failure to act. If the Association fails to approve or deny within the time required by law, the member may proceed with installation, and the Association will not impose fines or otherwise penalize the member for complying with the Act.

5.5 Re-submittal. A member may resubmit an application to install a solar energy system as permitted by law. The Association will re-evaluate resubmitted applications in accordance with this Policy and the Act.

6. GROUNDS FOR APPLICATION DENIAL OR EQUIPMENT REMOVAL

6.1 Application denial. The Association may deny an application or require removal only if one or more of the following applies:

- (a) A court has found that the installation of the solar energy system violates a law.
- (b) The installed solar energy system does not substantially conform with the members' application to install the solar energy system as approved by the Association.
- (c) The Association has determined that the solar energy system will be installed on the roof of a home of the member requesting installation and one or more of the following apply:
 - (c.1) The solar energy system will extend above or beyond the roof of that home by more than six inches.
 - (c.2) The solar energy system does not conform to the slope of the roof and has a top edge that is not parallel to the roof line.
 - (c.3) The solar energy system has a frame, support bracket, or visible conduit or wiring that is not silver, bronze, or black tone that are commonly available in the marketplace.
- (d) The Association has determined that both of the following apply:
 - (d.1) The solar energy system will be installed in a fenced yard or patio rather than on the roof of a home.
 - (d.2) The solar energy system will be taller than the fence line.

7. MAINTENANCE, REPAIR, AND REMOVAL

The member shall comply with state, county and Canton Township building codes and permit requirements in the replacement, maintenance, installation, removal, or operation of an energy-saving improvement or modification, including the installation of a solar energy system. The Association may request the member remove or repair damaged or inoperable energy-saving improvements, equipment modifications, or solar system components in compliance with the Association governing documents, covenants and restrictions regarding unsightly conditions, provided the cost of repair or removal is not more burdensome than conditions imposed on non-solar energy items.

8. POLICY AVAILABILITY

Within 30 days after adoption, the Association will make a copy of this Policy available to members, and it will be provided upon request. If the Association maintains an internet website, the Policy will be posted there.

9. SEVERABILITY or CONFLICT

Should any provision of this Policy or its application to any person or circumstances be held invalid, the invalidity does not affect other provisions or applications of this Policy. Should conflicts with applicable law determine portions of this Policy void and unenforceable, the remainder will be interpreted to comply with Michigan's Homeowners' Energy Policy Act 68 of 2024 (2024 PA 68 MCL 559.301 et seq.).