

ENERGY POLICY STATEMENT ON SOLAR INSTALLATION, WIND ENERGY, RAINWATER
COLLECTION AND COMPOSTING SYSTEMS

ROYAL LINKS SUBDIVISION
AND ALL ADDITIONS

****See Attached "EXHIBIT A" for properties affected by this Energy Policy Statement****

JD WILL ATTACH SPREADSHEET WITH ALL PINS in subdivision

Prepared by and Return to:
Julia Davis
Juila Davis Law Firm, LLC
409 S. Prospect, Suite F
Bloomington, IL 61704
309-661-1104

ENERGY POLICY STATEMENT ON SOLAR INSTALLATION, WIND ENERGY, RAINWATER
COLLECTION AND COMPOSTING SYSTEMS

OF

ROYAL LINKS SUBDIVISION, BLOOMINGTON, ILLINOIS

The Board of the ROYAL LINKS HOMEOWNERS ASSOCIATION ("Association") has adopted on this ____ day of _____, 2022, the following rules and guidelines to support homeowners and/or property owners interested in making improvements to their individual property, in regards to the installation of a Solar Energy Systems ("SES") (sometimes referred to as Solar Power Devices, or "SPDs"), 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; wind energy; rainwater collection; and composting systems.

Associations are no longer allowed to prohibit the installation of solar power systems but are allowed to, and in some cases are required to, create an Energy Policy Statement which sets forth: (i) the location, design, and architectural requirements of solar energy systems; and (ii) whether a wind energy collection, rain-water collection, or composting system is allowed, and if so, the location, design, and architectural requirements of those systems. 765 ILCS 165/20.

The installation of exterior SES requires approval of the Association, and also requires a permit from the City of Bloomington ("City") or may be governed, restricted, or prohibited in part by Ordinances adopted by the City.

Homeowners and/or property owners considering the installation of any SES on their property subject to the Rules of the Association are strongly encouraged to first contact the City of Bloomington for additional information on what permits are required and what ordinances may be in place restricting the SES. HOMEOWNERS ARE NOT TO OBTAIN A PERMIT UNTIL APPROVAL BY THE ASSOCIATION.

Preamble

The Association recognizes that there may be interest by Association members in installing SES, wind energy systems, rainwater collection systems, and composting. Since all of these systems by nature must be installed external to the building, the Association has developed this policy to aid Association members in developing their solar projects within Association expectations, thereby minimizing the time for project review and approval by the Board. The Board recognizes the benefits of renewable energy sources, including solar, to overall energy programs within our society, and is committed to working effectively with owners proposing solar power projects. **The Board reserves the right to amend this Energy Policy Statement at any time. Such amendments shall not affect the SES systems already approved by the Association.**

Prohibition of Wind Energy Systems

The Association prohibits any type of wind energy generation system on any property within the Subdivision.

Limitations on Rainwater Collection Systems and Composting Systems

Rainwater collection systems and Composting systems shall only be allowed in the backyard of a residence and must be shielded or screened from other owners so that they are not unsightly and shall not cause any offensive or noxious odor.

Illinois Statutes and Municipal Treatment of Residential Solar Power Systems

The Illinois Homeowner's Energy Policy Statement Act, 765 ILCS 165/1 et seq. ("the Act"), establishes the legal right of homeowners who are members of Associations to install SPD and/or SES, and defines which solar energy systems are covered by its provisions. The Act prohibits homeowners' associations, condominium unit owners' associations, and common interest community associations in Illinois from adopting any measure, i.e. covenants, bylaws, rules, etc., that would prevent the use of solar energy systems on their homes.

Section 25 of the Act states that an SPD and/or SES shall meet applicable standards and requirements imposed by State and local permitting authorities, i.e. City, Township, Village, or Municipality. The City/Township/Village/Municipality is such a defined permitting authority.

Section 30 of the Act requires that the application for approval of any SPD and/or SES shall be processed and either approved or rejected by the Association within ninety (90) days after the submission of the application. The Board specifically finds that this statutory time frame for consideration and approval by the Association of any SPD and/or SES shall supersede the time frame for considering any other non-SPD and/or SES application.

Section 20 of the Act provides, in pertinent part, that within 120 days after a homeowners' association, common interest community association, or condominium owners' association receives a request for a policy statement or an application from an association member, the association shall adopt an energy policy statement regarding: (i) the location, design, and architectural requirements of solar energy system, and (ii) whether a wind energy collection, rain water collection, or composting system is allowed, and, if so, the location, design, and architectural requirements of those systems. An association shall disclose, upon request, its energy policy statement and shall include the statement in its homeowners' common interest community, or condominium unit owners' association declaration.

Definitions

The Association adopts the following Definitions set forth in Section 10 of the Act:

"Solar Energy" means radiant energy received from the sun at wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

"Solar Collector" means:

1. An assembly, structure, or design, including passive elements, used for gathering, concentrating, or absorbing direct and indirect solar energy, specifically 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.

"Solar storage mechanism" means equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, 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.

"Solar Energy System", also referred to as SES, 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.

Association Regulatory Rules

Section 25 of the Act states that an SPD and/or SES shall meet applicable standards and requirements imposed by State and local permitting authorities. The Board has adopted as its Rules the current restrictions imposed on SPD and/or SES by the City:

1. All SES projects must be approved in writing by the Board, prior to commencing any construction activities on the exterior of the residence.
2. It is highly recommended that Board approval be obtained prior to applying for interconnection of the SES with Ameren or any other electrical service provider (as required by 83 IL Administrative Code, Part 466), and prior to seeking necessary City permits . It is also highly recommended that the homeowner and/or property owner attend a scheduled Board Meeting and be prepared to answer questions from the Board, and present detailed architectural drawings, depictions, or computer generated images of the

components and mechanisms to be installed, including the exact location and method of installation of said components and mechanisms before the Board makes a final decision on the request.

3. The Association recognizes that SES installations can be roof-mounted or surface (ground or walls of the residence) mounted. The Association has a strong preference for solar panels to be installed on _____.
4. Association requires _____ for design purposes.
5. SES applications for approval must include _____.
6. The following system(s) are allowed or not allowed, as indicated, by the Association:
 - a. ___ wind energy collection – Not ALLOWED
 - b. X rain water collection – Allowed with Restrictions
 - c. X composting system – Allowed with Restrictions

Approval Procedures

The location, design and architectural requirements of the above allowed systems are as follows:

1. When applying for approval by the Board pursuant to this Policy, please be aware of the following procedures. **The homeowner applying for approval should not schedule with third parties for delivery of materials or installation of structures until the Board has granted approval, and all necessary permits required by the City of Bloomington have been obtained.**
2. Mail or Email a completed application, including the detailed information set forth herein to the Board. Submit the application request to: _____.
3. The Board may request additional information should the original submission need clarification. The Board will communicate its decision in writing to the homeowner and/or property owner who made the application.
4. If the homeowner and/or property owner wishes to appear before the Board to present additional information for consideration by the Board, the homeowner and/or property owner should contact the Board Secretary no less than ___ business days prior to the date of the scheduled meeting, and should supply the Board Secretary with at least _____ copy/(ies) of the application and attachments so copies can be available to the members of the Board prior to the meeting. "Business days" mean Monday through Friday inclusive, excluding State and Federal holidays.
5. Each member application for SES approval received prior to the adoption of this Energy Policy Statement (dated _____) is subject to the requirements set out herein. The Board, however, will accept within 14 days, an "amended application" giving such applicant(s) opportunity to remedy any shortcomings. As an alternative, the member-applicant may appear before the Board and present additional/updated information in this forum.
6. The Board will communicate its decision in writing to the homeowner and/or property owner who made the application.
7. Approval of the Board only means the proposed SES meets the standards of the Association. This approval **does not** exempt any homeowner and/or property owner from obtaining the necessary approval from Ameren or any other electrical service provider, or appropriate approvals and permits from the City of Bloomington. Additionally, the

