

**RESOLUTION
OF THE
RED HAWK HOMEOWNERS ASSOCIATION, INC.
REGARDING RENEWABLE ENERGY GENERATION DEVICES
AND
ENERGY EFFICIENCY MEASURES**

- SUBJECT:** Adoption of a policy regarding Renewable Energy Devices and Energy Efficiency Measures.
- PURPOSE:** To provide guidance to Owners who desire to construct or install renewable energy devices and/or energy efficiency measures within their property pursuant to sections of the Colorado statutes that supersede the Association's governing documents and in compliance with the Association's governing documents.
- AUTHORITY:** The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law.
- EFFECTIVE DATE:** January 1, 2015
- RECITALS:** Pursuant to C.R.S. 38-33.3-209.5(1)(b)(II), the Association is required to adopt a policy concerning Renewable Energy Devices and Energy Efficiency Measures.
- RESOLUTION:** The Association hereby adopts the following procedures regarding conflicting interest transactions.
1. **General.** Prior to the construction or installation of any renewable energy device or energy efficiency measure: plans, permit, and specifications must be submitted with the Architectural Review Request to the Architectural Review Committee and approved by the Board of Directors. The Town of Castle Rock must issue a permit and inspect the project when completed.
 2. **REGD.** As used in this Policy, a Renewable Energy Generation Device (REGD) means either:
 - (a) A solar collector or other device or a structural design feature of a structure which provides for the collection of sunlight and which comprises part of a system for the conversion of the sun's radiant energy into thermal, chemical, mechanical, or electrical energy.
 - (b) A wind-electric generator that meets interconnection standards established in rules promulgated by the Colorado Public Utilities Commission.
 3. **EEM.** As used in this Policy, Energy Efficiency Measures (EEM) are limited to any include **ONLY** the following types of devices or structures:
 - (a) Awnings, exterior shutters, trellises, or other shade structures marketed for the purpose of reducing energy consumption,
 - (b) Garage or attic fans,
 - (c) Evaporative coolers,
 - (d) Energy efficient outdoor lighting devices, including any solar recharging panel or motion detector, and

(e) Retractable clotheslines.

4. **Physical Restrictions.** Review and approval by the Architectural Review Committee of plans, permit, and specifications submitted for the construction and/or installation of a REGD or EEM may include restrictions on the dimensions, placement, safety, and external appearance that do not:

(a) Significantly increase the cost for REGD's or impact the purchase price and operation costs of EEM's.

(b) Significantly decrease the performance or efficiency of REGD's or impact the performance of EEM's.

5. **Noise Restrictions.** Review and approval by the Architectural Review Committee of plans, permit, and specifications submitted for the construction and/or installation of a wind-electric generator may include reasonable noise restrictions to reduce interference with the use and enjoyment by residents of nearby units.

6. **Placement.** No approval for construction and/or installation of REGD's or EEM's shall be provided for placement on:

(a) Property owned by another person.

(b) Limited or General Common elements.

(c) Units that are rented unless approved and requested by the Owner of the property.

Deviations. The Board of Directors may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

Miscellaneous Provisions. In the event a Court of competent jurisdiction finds a provision of this collection policy void or otherwise unenforceable, the other provisions shall remain in full effect.

PRESIDENT'S CERTIFICATION: The Undersigned, being the President of the Association certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on NOV 20, 2014 and in witness thereof, the undersigned has subscribed his/her name.

RED HAWK HOMEOWNERS ASSOCIATION, INC.,
a Colorado nonprofit corporation

By: Ralph Jollersten
President

