

**RESOLUTION REGARDING ALTERNATIVE ENERGY**

WHEREAS, Pursuant to Colorado House Bill 08-1270 ("HB 1270"), Colorado Revised Statute ("C.R.S.") 38-33-168 prohibits Rolling Hills Ranch Townhomes Association ("Rolling Hills"), from adopting procedures restricting the installation of Renewable Energy Generation Devices; and

WHEREAS, Pursuant to HB 1270, Part 1 of C.R.S. 38-33.3 prohibits Rolling Hills from adopting procedures restricting the installation of Energy Efficiency Measures;

NOW, THEREFORE, It is resolved that the Association Bylaws and Design Guidelines are amended as indicated below and the following Policy on Alternative Energy is hereby adopted by the Board of Directors:

**Alternative Energy Policy****1. Definitions.**

- a. A "Renewable Energy Generation Device" shall be defined as a solar energy device or a wind-electric generator.
- b. An "Energy Efficiency Measure" shall be defined as the following:
  - (i) A shade structure marketed for the purpose of reducing energy, such as an awning, shutter, trellis, or ramada.
  - (ii) A garage or attic fan.
  - (iii) An evaporative cooler.
  - (iv) An energy-efficient outdoor lighting device.
  - (v) A retractable clothesline.

**2. Alternative Energy Policy**

Rolling Hills Homeowners may install Renewable Energy Generation Devices and Energy Efficiency Measures subject to limitations as described in Section 3 through 14 of this Resolution.

**3. Solar Energy Panels**

- (a) Homeowners are permitted to install solar panels as defined in C.R.S. 38-32.5-100.3.

- (b) Installation of solar panels shall require approval by the Architectural Review Committee ("ARC").
- (c) Only ground-mounted solar panels shall be permitted. The panels shall be installed only within the porch area of the unit. Solar panels must be of a color, size, and shape so as to be as unobtrusive and as consistent as possible with the architecture of the unit.

**4. Wind-Electric Generators**

Due to the specifications of C.R.S. 40-2-124, wind-electric generators are not permitted within Rolling Hills.

**5. Evaporative Coolers**

- (a) All air conditioning equipment must receive ARC approval.
- (b) Only ground-mounted evaporative coolers may be installed. Such installation must fully comply with the installation specifications of that device.
- (c) Due to the noise-generating quality of such devices, please consider the impact to your neighbors, especially those neighbors who keep their windows open in warm weather, when you install the evaporative cooler.
- (d) Window- and roof-mounted evaporative coolers shall not be permitted.

**6. Window-Mounted Air Conditioning Units**

Window-mounted air conditioning units shall not be permitted within the Association.

**7. Attic Fans**

Attic fans shall not be permitted within the Association.

**8. Retractable Clotheslines**

All retractable clotheslines require ARC approval. Clotheslines must be no taller than five (5) feet. Such clotheslines may be installed only in porch areas. When such clotheslines are not in use, they must be fully retracted. Clotheslines may only be in use after sunset and before sunrise.

**9. Energy-Efficient Outdoor Lighting Devices**

- (a) ARC approval is required for all such exterior lighting, including but not limited to post lights, spotlights, security flood lights or strobes, as well as all ground lighting (along drives and walkways) and accent soft lighting.
- (b) Exterior walkway and security lights must be directed onto the applicant's property only and shall be adjusted or screened to prevent light from falling onto adjacent property.
- (c) Light fixtures shall be compatible with existing features in both scale and style. A sketch or picture of the proposed fixture shall be included in the ARC request.

**10. Shutters**

ARC approval is required for the installation of any shutters. Shutters must match the color of the trim or the existing shutters. Shutters may be made of wood, vinyl, or fiberglass. Retractable shutters are approved if the foregoing conditions are met.

**11. Awnings**

Placement of attached awnings shall be subject to approval by the ARC. Retractable awnings are permitted. Awnings must complement the architecture and paint colors of the Unit.

**12. Trellis**

Due to lack of available space, trellises shall not be permitted.

**13. Ramada Louvers**

See Shutters (Section 9 above).

**14. Unit Owner Commitments**

With regard to any of the installation described in this Policy, the Unit Owner shall commit to do the following:

- (a) Maintain the installed item's appearance and safe working condition;
- (b) Accept liability for all damages arising from the installation or repair of the installed item;
- (c) Indemnify the Association from any liability for claims, demands, damages, costs, or judgments related to such item's installation or maintenance;

- (d) Obtain any necessary permits from the City of Johnstown prior to such installation.

Thomas J. Hill

President, Board of Directors

9-17-09

Date