## Solar Energy Device Guidelines for the Fall Creek Homeowners Association, Inc.

STATE OF TEXAS §

COUNTY OF HARRIS §

Pursuant to the Governing Documents of Fall Creek Homeowners Association, Inc., (referred to as "Association") the Directors of the Fall Creek Homeowners Association, Inc., a Texas non-profit corporation, adopt the following resolution:

## WHEREAS:

- The Texas Property Code Chapter 202 Section 202.010 precludes associations from adopting or enforcing a complete prohibition on solar energy devices; and
- 2. Pursuant to Section 202.010 of the Texas Property Code, the Board of Directors is permitted to adopt certain limitations on solar energy devices.
- 3. Section 202.010 of the Texas Property Code includes solar roof tiles as a solar energy device under the statute.

## BE IT RESOLVED THAT:

- In order to comply with Section 202.010 of the Texas Property Code, the Board of Directors of the Association hereby repeals any and all prior restrictions on solar energy devices contained in any governing document of the Association, all prior restrictions and adopts the following guidelines to govern solar energy devices.
  - a. Solar energy devices may be approved by the architectural review committee, but prior to installation written approval must be obtained from the architectural review committee;
  - Unless there is supplied documentation stating that the energy production of the solar energy device will be compromised by more than ten percent, the solar energy device must be placed on the rear facing portion of the roof, or may be placed on the rear facing portion of another approved structure;
  - c. The solar energy device may not be higher or wider than any flat portion of the roof with where it is attached. The top edge of the solar energy device must be parallel with the roofline, or if the roofline is at an angle, it must be parallel with the bottom portion of the roof. The solar energy device must also conform to the slope of the roofline;

- d. If the solar energy device will be located anywhere on the lot other than the roof of the home, or other approved structure, the solar energy device must be located below the fence line;
- e. The color of the solar energy device frames, brackets, wires and pipes must be included with the improvement request.
- 2. In the event of any conflict between these provisions and any solar energy device restrictions contained in any governing documents of the Association, including design guidelines, policies and the Declaration, this Solar Energy Device Policy controls.

Authorized Board Member Signature & War State Date: 9/9/25