

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 774

Representative Blessing

Cosponsors: Representatives Green, Patterson, Seitz

A BILL

To enact sections 5301.073 and 5311.192 of the 1
Revised Code to prohibit condominium, 2
homeowners, and neighborhood associations from 3
imposing unreasonable limitations on the 4
installation of solar collector systems on the 5
roof or exterior walls of improvements. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5301.073 and 5311.192 of the 7
Revised Code be enacted to read as follows: 8

Sec. 5301.073. (A) As used in this section, "solar 9
collector system" means a solar collector or other solar energy 10
device, the primary purpose of which is to provide for the 11
collection, storage, and distribution of solar energy for 12
electricity generation, space heating, space cooling, or water 13
heating. 14

(B) No covenant, condition, or restriction set forth in a 15
deed, and no rule, regulation, bylaw, or other governing 16
document or agreement of a homeowners, neighborhood, civic, or 17
other association, shall impose or be construed to impose any 18

unreasonable limitation on the installation of a solar collector system on the roof or exterior walls of improvements, provided the property owner owns or has the right to exclusive use of the roof or exterior walls. For purposes of this division, "unreasonable limitation" includes a limitation that significantly increases the cost, or significantly decreases the efficiency, of the solar collector system. 19
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(C) If a property owner installs or intends to install a solar collector system, the property owner may negotiate to obtain a solar access easement described in section 5301.63 of the Revised Code. 26
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Sec. 5311.192. (A) As used in this section, "solar collector system" means a solar collector or other solar energy device, the primary purpose of which is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating, space cooling, or water heating. 30
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(B) No declaration, bylaw, rule, regulation, or agreement of a condominium property, or construction of any of these items by the board of managers of its unit owners association, shall impose or be construed to impose any unreasonable limitation on the installation of a solar collector system on the roof or exterior walls of improvements, provided there is no competing use of the roof or exterior walls. For purposes of this division, "unreasonable limitation" includes a limitation that significantly increases the cost, or significantly decreases the efficiency, of the solar collector system. 36
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(C) If a unit owner installs or intends to install a solar collector system, the unit owner may negotiate to obtain a solar access easement described in section 5301.63 of the Revised 46
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Code.

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