

**COLUMBIA SQUARE MAINTENANCE ASSOCIATION**  
**SOLAR PANEL RULES**

An applicant wishing to install solar panels on a common area roof must obtain the written approval of the Architectural Committee (“ARC”), as well as obtain a building permit from the City of Irvine. Applications made to the ARC must be submitted on the appropriate architectural approval form with all required and necessary documentation. The procedures for submittal are set forth in Article V of the Association’s Declaration of Covenants, Conditions and Restrictions for Columbia Square.

All applications must be accompanied by a non-refundable fee of Three Hundred Dollars (\$300.00) in reimbursement for the drafting of the Solar Installer Indemnity Agreement (Exhibit “A”) and the Solar Panel Maintenance and Indemnity Agreement (Exhibit “C”). In addition to the \$300.00 fee, applicant will be charged the actual recordation fees charged by the Orange County Recorder’s Office. If not paid at the time of the recording, the Association may seek reimbursement following a noticed hearing.

As part of the process for obtaining approval from the ARC for solar panel installation on a roof, the applicant must provide the following documents:

**(1) Contractor Information:**

The applicant must provide the name, license number and contact information of the contractor installing the solar equipment. The applicant must submit proof that the contractor currently holds the appropriate contractor license to install solar panels on a roof and has worker’s compensation insurance. This information can be found on the California State License Board website at [www.cslb.ca.gov](http://www.cslb.ca.gov). The applicant’s contractor must also provide a signed original Solar Installer Indemnity Agreement (Exhibit “A”) with the application package.

**(2) Insurance:**

The applicant must provide evidence of the applicant’s contractor’s current liability insurance providing coverage for the solar panel installation proposed. Applicant shall provide evidence satisfactory to Association that such coverages are not excluded for work or services performed by contractor for common interest developments and/or multi-unit or multi-family dwellings.

**(3) Solar Site Survey:**

If the applicant wishes to install the solar energy system on a multi-family common area roof shared by more than one homeowner, the applicant must provide a solar survey. The following rules apply:

- a. The solar site survey must show the proposed placement of the solar energy system and must describe the total “usable solar roof area” for the entire roof of the building

upon which the solar equipment will be installed (note this should include the entire building – not just the roof area above the applicant’s unit). The survey must be prepared by a licensed contractor or the contractor’s registered salesperson, if the salesperson has the knowledge to be able to determine the usable solar roof area. The survey must also include a determination of the equitable allocation of usable solar roof area for all homeowners sharing the roof, whether the roof covers homes, garages or carports.

- b. If any prior solar site surveys have been conducted for the particular roof in question, the applicant must provide a copy of any prior survey, along with a copy of their own survey, unless applicant is relying solely on the prior survey. The applicant should also explain why one survey is being used rather than the other(s).
- c. All owners within the building shall have the opportunity to provide comments within ten (10) days of the submittal of the completed application. Applicant must notify all signing owners of the date of submittal using the form attached as Exhibit “B.” All owners within the building may contest the findings of the solar site survey by providing their own solar site survey, which likewise must be prepared by a licensed contractor or the contractor’s registered salesperson, if the salesperson has the knowledge to be able to determine the usable solar roof area. The applicant is encouraged to discuss any concerns directly with any concerned owners in the building and attempt to reach resolutions prior to submitting the application, when possible. If any dispute cannot be resolved by the owners themselves, the ARC shall be the sole arbitrator in such matters and its decision shall be binding upon the parties. In consideration of this application, the applicant releases the ARC from any and all liability related to its decisions.
- d. The applicant must notify a minimum of one record owner of each unit in the building on which the proposed solar installation will be located. Such notification shall be in writing using the form attached as Exhibit “B” and include a copy of the application, including the solar site survey being relied upon, as well as any other surveys which have been created but are not being relied upon. Each owner receiving the notice and application must sign the Solar Neighbor Awareness Form (Exhibit “B”). In the event that applicant is unable to obtain the signature of any unit owner, all efforts made to provide notice and to obtain the signature should be detailed as an attachment to the application.

**(4) Access to Roof:**

The applicant must provide detailed information as to how the contractor will obtain access to the roof and describe what areas of the roof will be affected by its access. The applicant shall be responsible for all costs associated with the repair of damage caused by the applicant’s contractor.

**(5) Maintenance:**

To the extent the Association is unable to maintain, repair or replace the roof with the solar energy system intact, the applicant owner shall be responsible for either the removal of the solar energy system when such maintenance, repair or replacement is necessary, or the applicant owner shall be required to provide for the suitable maintenance, repair or replacement of the roof and related components. The applicant must provide detailed information for the long-term maintenance and cleaning requirements of the solar panels and the affected roof area. Specifically, the applicant must explain how the solar system will be maintained by a licensed contractor in the future and how the solar system will be removed and reinstalled. Maintenance, removal and reattachment will be at the applicant's sole cost and expense, when the common area roof requires maintenance or replacement in the future.

**(6) Indemnity:**

Applicant must sign and have notarized the enclosed Solar Panel Maintenance and Indemnity Agreement (Exhibit "C"). The Solar Panel Maintenance and Indemnity Agreement will be recorded against the applicant's title and applicant shall provide a copy of the recorded document to any prospective buyers or lenders of applicant's unit.

**(7) Drawings:**

Applicant must supply an architectural drawing to the ARC that shows the dimensions of the solar panels, the specific location of the panels on the roof of the building, and the precise attachment points on the roof where the panels will be attached.

**(8) Construction Requirements:**

The application must include detailed information as to the means and methods of installation. This must include the proposed mounting system, any conduits that will be used for electrical cables, entry points into the buildings for all electrical cables, and areas of the building envelope that will be pierced or modified in the construction process, any portion of the common area, other than the roof, that may be impacted or modified as part of the installation or so as to connect the solar panels effectively to the electric meter.

- a. Any solar energy system should be concealed from the street and neighbors' view whenever reasonably possible.
- b. Aluminum trim, if used and visible, should be anodized or otherwise color treated to match or reasonably blend in with any existing structures.
- c. Solar panels should be installed parallel to the plane of the roof materials (flush mounted), when possible.

- d. Solar energy systems must be securely fastened to the roof in accordance with local building codes.
- e. All exterior conduits and/or plumbing lines should be painted in a color scheme consistent with the structure and materials adjacent to the pipes (i.e. pipes on walls should be painted the color of walls while roof pipes should be the color of the roof).
- f. Roof or wall penetrations (such as to attach any solar equipment to the roof) must be flashed, caulked and sealed to prevent water, rodents, insects or other pests from entry.
- g. All solar energy systems must meet or exceed all required fire classifications for such systems.
- h. Installation of solar energy systems on the roof of a structure adds weight to the structure commonly referred to as “dead load.” Solar panels also may impose loads generated by seismic forces. Solar panels must also resist wind forces. This additional weight and load must be accounted for to ensure that the building can safely bear the weight of the solar installation. The applicant must provide written confirmation in a form acceptable to the ARC that the roof area where the applicant intends to install the solar system is structurally capable of supporting the load of the solar system.
- i. Individual components of solar energy systems must comply with the California Electrical Code (CEC) and the manufacturers’ installation instructions. This requirement applies to several system components, including but not limited to the panels, modules, wire, inverters, connectors, and disconnects.
- j. Roof-mounted solar energy systems shall not cause excessive sagging of the roof that results in water ponding. They shall also not block or impede drainage flows to roof drains and scuppers.
- k. Solar panels shall not obstruct or interfere with the function of plumbing vents or mechanical equipment.

Exhibit “A”  
Solar Installer Indemnity Agreement

Exhibit “B”  
Solar Installation Neighbor Awareness Form

Exhibit “C”  
Solar Panel Maintenance and Indemnity Agreement