



## Ohio Revised Code

### Section 5312.16 Solar energy collection devices.

Effective: September 13, 2022

Legislation: Senate Bill 61 - 134th General Assembly

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(A) Unless specifically prohibited in the declaration, any owner may install a solar energy collection device on the owner's dwelling unit or other location within the owner's lot if either of the following conditions apply:

- (1) The cost to insure, maintain, repair, and replace the unit's roof or alternative location within the lot is not a common expense of the owners association and is instead the owner's responsibility.
- (2) The declaration specifically allows for and regulates the types and installation of solar energy collection devices within the planned community and establishes responsibility for the cost to insure, maintain, repair, and replace such devices.

(B) Notwithstanding division (A) of this section, an owners association may establish reasonable restrictions concerning the size, place, and manner of placement of solar energy collection devices.

(C) Prior to imposing a charge for damages or an enforcement assessment pursuant to this section, the board of directors shall give the owner a written notice, which may be in the form of electronic mail to an electronic mail address previously provided by the owner in writing that includes all of the following:

- (1) A description of the property damage or violation;
- (2) The amount of the proposed charge or assessment;
- (3) A statement that the owner has a right to a hearing before the board of directors to contest the proposed charge or assessment;
- (4) A statement setting forth the procedures to request a hearing;



(5) A reasonable date by which the unit owner must cure the violation to avoid the proposed charge or assessment.

(D) As used in this section, "solar energy collection device" has the same meaning as in section 5311.192 of the Revised Code.

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