

RESOLUTION

A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, REQUESTS THAT THE GENERAL ASSEMBLY WORK TO SUPPORT LEGISLATION REGULATING PERMISSION OF SOLAR PANELS WITHIN HOMEOWNERS' ASSOCIATIONS IN THE STATE OF GEORGIA, AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the Governing Authority of DeKalb County requests that the DeKalb Delegation of the General Assembly work to support legislation regulating permission for solar panels within homeowners' associations in the State of Georgia; and

WHEREAS, notable benefits from the existence of solar panels for homeowners includes, but is not limited to: savings on electricity costs, diversity of aesthetically pleasing design options, and potential increase in property value as a result of solar panel installation, among other sustainability benefits; and

WHEREAS, nearly half of all states have enacted regulations protecting homeowners' rights to installing solar panels, generally prohibiting homeowners' associations from restricting solar panel installations within their communities; and

WHEREAS, while several states have established these regulations, many of these regulations allow homeowners' associations to impose "reasonable restrictions" on solar energy systems; these restrictions are currently limited to those that don't increase the cost of a proposed system by more than one thousand (1000) dollars or decrease its potential performance by more than ten (10) percent; and

WHEREAS, despite passage of the Solar Power Free-Market Financing Act of 2015 in Georgia, many homeowners' associations continue to ban solar panels, even though their Declaration of Covenants, Conditions, and Restrictions and design guidelines expressly allow solar panels; and

WHEREAS, this approach is an impediment to residents requesting access to solar panel installation, while directly impacting communities economically by preventing savings created by solar technology; and

WHEREAS, action from the State is needed to correct this discrepancy in the allowance of solar panels in neighborhoods with homeowners' associations within the state.

NOW, THEREFORE, BE IT RESOLVED by the Governing Authority of DeKalb County, Georgia, hereby requests that:

1. The DeKalb Delegation of the General Assembly work to support legislation regulating permission of solar panels within homeowners' associations in the State of Georgia.

2. The supported legislation should include enforcement mechanisms that ensure homeowners' associations are prohibited from banning solar panels, notwithstanding "reasonable restrictions" on solar energy systems.
3. The supported legislation should exclude certain exemptions to existing solar access laws, such as installation within historic districts.
4. The Executive Assistant or his designee deliver a copy of this Resolution to each member of the Georgia General Assembly representing a portion of DeKalb County.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, 2021.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2021.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia