

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 67-701 of the Code of Virginia, relating to covenants regarding solar*
3 *power.*

4 [H 2417]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 67-701 of the Code of Virginia is amended and reenacted as follows:**

8 § 67-701. Covenants regarding solar power.

9 A. Effective July 1, 2008, no community association shall prohibit an owner from installing or using
10 a solar energy collection device on that owner's property. However a community association may
11 establish reasonable restrictions concerning the size, place, and manner of placement of such solar
12 energy collection devices.

13 B. The community association may prohibit or restrict the installation of solar energy collection
14 devices on the common elements or common area within the real estate development served by the
15 community association. A community association may establish reasonable restrictions as to the size,
16 place, and manner of placement or installation of any solar energy collection device installed on the
17 common elements or common area.

18 C. This section shall not apply with respect to any provision of a restrictive covenant that restricts
19 the installation or use of any solar collection device if such provision became effective prior to July 1,
20 2008.

21 Nothing in this section shall be construed to (i) invalidate any provision of a restrictive covenant that
22 prohibits or restricts the installation or use of any solar collection device if such provision was in effect
23 before July 1, 2008, or (ii) prohibit the amendment of a restrictive covenant ~~on or after July 1, 2008~~, to
24 prohibit or restrict *the installation or use of any solar collection device, or to remove prohibitions or*
25 *restrictions on* the installation or use of any solar collection device if such amendment is adopted by the
26 membership of the community association in accordance with such association's governing documents.

ENROLLED

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