

ATTACHMENT 11

BRAEMAR VILLAGE HOMEOWNERS' ASSOCIATION, INC. STANDBY ELECTRIC GENERATOR POLICY

Terms used but not defined in this policy will have the meaning subscribed to such terms in that certain Declaration of Covenants, Conditions and Restrictions for Braemar Village Recorded in the real property records of Harris County, Texas, as the same may be amended from time to time.

Scope

This Standby Electric Generator Policy (this “**Standby Generator Policy**”) applies to all members of the Association.

Purpose

These guidelines apply to standby electric generators as such term is defined in Section 202.019 of the Texas Property Code. A standby electric generator means a device that converts mechanical energy to electrical energy and is: (1) powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen; (2) fully enclosed in an integral manufacturer-supplied sound attenuating enclosure; (3) connected to the main electrical panel of a residence by a manual or automatic transfer switch; and (4) rated for a generating capacity of less than seven kilowatts (collectively “**Standby Electric Generator**”)

Requirements.

All Owners installing or operating standby electric generators shall comply with the following:

- (1) The installation and maintenance of the Standby Electric Generator must be in compliance with manufacturer’s specifications and all applicable governmental health, electrical and building codes.
- (2) The installation of all electrical, plumbing and fuel line connections must be performed by a licensed contractor.
- (3) The installation of all electrical connections must be performed in accordance with applicable governmental health, safety, electrical and building codes.
- (4) The installation of all natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections must be performed in accordance with applicable governmental health, safety, electrical and building codes.
- (5) The installation of all liquefied petroleum gas fuel line connections must be performed in accordance with the rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical and building codes.
- (6) The installation and maintenance of nonintegral Standby Electric Generator fuel tanks must comply with applicable municipal zoning ordinances and governmental health, safety, electrical and building codes.
- (7) All standby electric generators and its electrical lines and fuel lines must be maintained in good condition. In addition, the repairing, replacing and removal of any deteriorated or unsafe component of the standby electric generator, which includes electrical or fuel lines, is required.
- (8) Owners must screen the Standby Electric Generator if it is:
 - a. Visible from the street faced by a residence; or

RP-2021-50852

- b. Located in a fenced or unfenced side or rear yard of a residence and is visible either from an adjoining Lot or from adjoining Common Area.
- (9) Any periodic testing of the Standby Electric Generator consistent with the manufacturer's recommendation must only be performed during the hours of 9:00 a.m. to 5:00 p.m., Monday through Saturday.
- (10) It is strictly prohibited to use a Standby Electric Generator to generate all or substantially all of the electrical power to a Lot, except when utility-generated electrical power is not available or is intermittent due to causes other than nonpayment for utility service.
- (11) No Standby Electric Generator shall be located on Common Area.
- (12) No Standby Electric Generator may be installed prior to obtaining written approval of the ACA.
- (13) Other than testing, Standby Electric Generators shall not be used to generate all or substantially all of the electrical power to a residence, except when utility-generated electric power to the residence is not available or is intermittent due to other causes other than nonpayment for utility service to the residence.
- (14) Standby Electric Generators shall not be placed in the front yard of any residence.
- (15) A Standby Electric Generator shall be screened if it:
 - a. is visible from the street faced by the dwelling;
 - b. is located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the Association; or
 - c. is located in an unfenced side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the Association.
- (16) Standby Electric Generators shall not be placed on property owned or maintained by the Association or owned in common by the Association's members, and no portion of the Standby Electric Generator may encroach on adjacent properties.
- (17) Standby Electric Generators may be installed only with advance approval of the ACA subject to the Governing Documents.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This policy may be amended from time to time by the Board.