

RILEY TOWNSHIP – ST. CLAIR COUNTY

ORDINANCE NO # 59 – 2023 Wind and Solar Moratorium

An ordinance to impose a moratorium on the issuance of permits, licenses, or approvals for, or for any construction of, wind energy conversion systems, met towers and solar energy facilities.

Section 1: Definitions.

- A. "Wind Energy Conversion System" includes all equipment that is used to convert, store or transfer energy from wind into usable forms of energy and includes any wind turbines or wind generators as well as any bases, blades, foundations, generators, nacelles, rotors, towers, transformers, turbines, vanes, wires, or other components used in such a system whose purpose is to provide electricity to the electric utility grid.
- B. "Meteorological Tower" ("MET Tower") includes a tower used for the measurement of wind speed.
- C. "Large Solar Energy Facilities" means a utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV) or various experimental solar technologies, for the primary purpose of wholesale or retail sales of generated electricity.

Section 2. Purpose and Findings. The purpose of this moratorium is to provide sufficient time for Riley Township to fully explore, analyze, research, and make informed decisions regarding Wind Energy Conversion Systems, Meteorological Towers and Large Solar Energy Facilities. In support of this Ordinance, the Riley Township Board has determined the following:

- A. The Township Board has become aware that developers may be interested in constructing Wind Energy Conversion Systems or Large Solar Energy Facilities in the Township.
- B. The integration of these Wind Energy Conversion Systems and Large Solar Energy Facilities within the Township emphasizes the need for suitable regulations and controls.
- C. The Township Board is authorized to establish reasonable requirements and regulations to govern and control Wind Energy Conversion Systems, MET Towers and Large Solar Energy Facilities within the Township to protect the public health, safety and welfare of the Township residents and their property.
- D. Imposing a moratorium, on a limited temporary basis, is reasonable and necessary to allow the Township time to fully explore, analyze, research, and develop any proposed regulations regarding the integration of Wind Energy Conversion Systems, MET Towers and Large Solar Energy Facilities within the Township.

- E. A moratorium should be imposed upon the issuance of any and all permits, licenses, and approvals for any property in the Township for the establishment and use of Wind Energy Conversion Systems, MET Towers and Large Solar Energy Facilities for 18 months.

Section 3: Moratorium. A moratorium is hereby imposed upon the issuance of any and all permits, licenses, or approvals for any property in the Township for the establishment and use of Wind Energy Conversion Systems, MET Towers and Large Solar Energy Facilities, so long as this Ordinance is in effect.

Section 4: Term of Moratorium; Renewal. The moratorium imposed by this Ordinance remains in effect 18 months following the effective date of this Ordinance, unless repealed sooner.

Section 5: Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 6: Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 7: Effective Date. This Ordinance shall take effective seven (7) days following publication.

This ordinance was offered for adoption by MARK BARANOWSKI, and was seconded by MIKE RUSHING.

The ROLL CALL vote being as follows: YEAS: Supervisor Al Titus, Treasurer Mike Rushing, Clerk Dawn Behem, Trustee Duane Hagle, Trustee Mark Baranowski. NAYS: None. ABSENT/ABSTAIN: None.

Ordinance declared adopted by the Township Supervisor.

Dawn Behem, Riley Township Clerk

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the Riley Township Board at a regular meeting held at the Riley Township Hall held on January 10th, 2023, at 7:00 p.m., pursuant to the required statutory notice and procedures and published in a newspaper of general circulation within Riley Township as required by law on January 18th, 2023.

Dawn Behem, Riley Township Clerk