

**PINCONNING TOWNSHIP
BAY COUNTY, MICHIGAN
ORDINANCE NO. 22-02**

**ORDINANCE ESTABLISHING LARGE AND MEDIUM SOLAR ENERGY SYSTEMS
MORATORIUM**

At a meeting of the Township Board of Pinconning Township, Bay County, Michigan, ("Township") held at the Pinconning Township Hall, on the 9th day of November, 2022, at 7 P.m., Whitney moved to adopt the following Ordinance, which motion was seconded by Hribek.

An ordinance to enact a temporary moratorium until September 1, 2023 or an earlier time in which the Township adopts new regulations governing Large Solar Energy Systems and Medium Solar Energy Systems and rescinds this Ordinance, on the application, permitting, consideration, approval, location, erection, construction, and/or installation of any Large Solar Energy System or Medium Solar Energy System projects.

WHEREAS, the Township Zoning Ordinance regulates, among other things, the Large Solar Energy Systems land use. Large Solar Energy Systems are generally a utility-scale solar energy project designed for generating electricity for off-site users. Likewise, the Zoning Ordinance also regulates Medium Solar Energy Systems, which are larger solar energy projects that serve one user; and

WHEREAS, on October 11, 2022, the Township Board passed a motion to establish a moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of any Large Solar Energy System or Medium Solar Energy System projects until the Township could draft new regulations to adequately regulate the land uses; and

WHEREAS, the Township has a legitimate purpose in addressing the proper design, size, location, and operation of Large Solar Energy Systems and Medium Solar Energy Systems in the Township; and

WHEREAS, the Township is reasonably concerned that application of the Zoning Ordinance as it is currently written could cause Medium and Large Solar Energy Systems to be established in inappropriate or inadvisable locations within the Township; and

WHEREAS, it is appropriate to forestall such issues for the Township and to enact a temporary moratorium on Large Solar Energy Systems and Medium Solar Energy Systems until any necessary revised regulations can be enacted; and

WHEREAS, the Township determines that the adoption of this ordinance, which is necessary to preserve the public peace, health, and safety by preventing the inappropriate location and establishment of Large and Medium Solar Energy Systems in the Township during the time needed to study, review, and potentially revise the Township's Zoning Ordinance due to changed conditions within the Township.

NOW, THEREFORE, Pinconning Township, Bay County, Michigan, Ordains:

Section 1. Title: This Ordinance shall be known and cited as the Pinconning Township Large and Medium Solar Energy Systems Moratorium.

Section 2. Moratorium: The Township enacts a temporary moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of all Large Solar Energy Systems and Medium Solar Energy Systems in the Township until September 1, 2023 or an earlier time in which the Township adopts new regulations governing Large Solar Energy Systems and Medium Solar Energy Systems and rescinds this Ordinance. However, the Township Board may pass by resolution an extension of this moratorium to a date following September 1, 2023 should the Township need additional time to promulgate appropriate regulations governing Large and Medium Solar Energy Systems.

Section 3. Severability: The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

Section 4. Repeal: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Effective Date: This Ordinance shall take effect immediately after publication.

YEAS: 4, Whitney Hribek, Hus, Stalsberg

NAYS: 1, Beck

ABSENT/ABSTAIN: 0

ORDINANCE DECLARED ADOPTED.

Sharon Stalsberg
Sharon Stalsberg, Pinconning Township Supervisor

PINCONNING TOWNSHIP
BAY COUNTY, MICHIGAN
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Ordinance No. 27-2
Notice of Adoption

Please take notice that on Nov 9th, 2022, the Township Board of Pinconning Township adopted Ordinance No. __, which imposes a temporary moratorium until September 1, 2023 or an earlier time in which the Township adopts new regulations governing Large Solar Energy Systems and Medium Solar Energy Systems, on the application, permitting, consideration, approval, location, erection, construction, and/or installation of the Large Solar Energy Systems land use and Medium Solar Energy Systems land use to study and potentially adopt revised regulations governing Large and Medium Solar Energy Systems. Copies of the Ordinance may be obtained from Beverlene Hribek, Pinconning Township Clerk, at 1751 E. Cody Estey Rd, Pinconning MI 48650 during regular business hours.

Published by Order of the Township Board
Pinconning Township, Bay County

Beverlene Hribek, Township Clerk
989-879-4018
751 E. Cody Estey Rd, Pinconning MI 48650

Publication Date: Nov 16th, 2022

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Pinconning Township Board at a duly scheduled and noticed meeting of the Township Board held on Nov. 9th, 2022, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Pinconning Journal newspaper, a newspaper that circulates within Pinconning Township, on Nov. 16, 2022.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the Township Board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Bay County Clerk on _____, 2022.

ATTESTED:

Beverlene Hribek
Beverlene Hribek, Pinconning Township Clerk