

INGHAM TOWNSHIP, INGHAM COUNTY, MICHIGAN

**TEMPORARY MORATORIUM ORDINANCE FOR
WIND ENERGY SYSTEMS**

Ordinance No. 2021- 2

At a regular meeting of the Ingham Township Board on the 19th day of July, 2021, at 7:00 p.m., the following Ordinance was offered by board member Harns and supported by board member Braman.

WHEREAS, the Ingham Township Board (“Township Board”) has become aware that Meteorological Evaluation Towers (MET) and Wind Energy Systems may interfere with Township land uses, impair property values, negatively impact the environment, and conflict with the Township’s development, existing land uses, and future land uses; and

WHEREAS, a MET is a weather monitoring tower measuring wind speed data; and

WHEREAS, a Wind Energy System is a utility-scale wind energy system used to generate electric energy for the sale, delivery or consumption of the generated energy by more than one end user, and typically the power output of that system is equal to or greater than 1 megawatt; and

WHEREAS, the Township Board wishes to implement a regulatory approach addressing concerns related to METs and Wind Energy Systems that complements the Township’s Master Plan and complies with or exceeds state and federal regulatory requirements; and

WHEREAS, the Township has a legitimate public purpose in addressing the proper and consistent regulation of METs and Wind Energy Systems within the Township through its own Planning Commission and Township Board; and

WHEREAS, the Township Board wishes to prepare an ordinance with regulations of METs and Wind Energy Systems that are consistent with all applicable state and federal laws and that protect the public health, safety, and general welfare of the Township; and

WHEREAS, the research and drafting of ordinance(s) capable of accomplishing proper and consistent regulation of METs and Wind Energy Systems will take time; and

WHEREAS, the impacts of Covid-19 have until only recently required resources of both the Township and the public to be focused on imminent matters of public health, restricting the Township’s and the public’s ability to fully consider, participate, and advise on the impacts and benefits of METs and Wind Energy Systems; and

WHEREAS, it is appropriate to address the impacts to the public health, safety, and general welfare to enact a reasonable and temporary moratorium until sufficient public engagement and appropriate regulation can be enacted and effective; and

WHEREAS, absent a temporary moratorium on the construction or establishment of any METs or Wind Energy Systems, inconsistent regulations of those activities could likely cause substantial confusion and incompatible activities within the Township; and

WHEREAS, the Township Board finds that it is necessary and reasonable to establish a temporary moratorium on the construction, development, and issuance of permits, licenses, and approvals for the construction or establishment of any METs or Wind Energy Systems for twelve (12) months or until the Township has enacted a valid regulatory ordinance addressing METs and Wind Energy Systems.

THEREFORE, INGHAM TOWNSHIP, INGHAM COUNTY, MICHIGAN ORDAINS:

An Ordinance Imposing a Temporary Moratorium on the Construction and Development, and Issuance of Permits, Licenses or Approvals for the Construction or Establishment of Any Meteorological Evaluation Towers or Wind Energy Systems.

Section 1: Moratorium. Ingham Township hereby temporarily prohibits the construction, development, issuance of permits, licenses, and approvals for the construction or establishment of any METs or Wind Energy Systems pending further study, enactment, and effect of a Township Zoning Ordinance or other ordinances addressing those uses within Ingham Township.

Section 2: Term; Renewal. This Ordinance shall terminate and be of no further effect twelve (12) months from the effective date of this Ordinance unless the Township Board extends the moratorium or terminates the moratorium. If an extension or termination is approved, the Township will publish notice of its adoption.

Section 3: Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 4: Repeal. All 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 5: Publication. This Ordinance or a summary thereof shall be promptly published in a newspaper of general circulation within Ingham Township, as provided by law and the Township website.

Section 6: Effective Date. This Ordinance shall take effect immediately after its publication as required by law.

ROLL CALL VOTE:

AYES: Harns, Braman, Speck, LaGrow

NAYS: None

ABSTAIN: None

ABSENT: Harris

Ordinance adopted.