

**DALLAS TOWNSHIP, CLINTON COUNTY, MICHIGAN**

**TEMPORARY MORATORIUM ORDINANCE FOR  
SOLAR ENERGY SYSTEMS**

**Ordinance #14**

At a regular meeting of the Dallas Township Board held in the Township Hall on the 13<sup>th</sup> day of September 2021, at 2:00 p.m., the following Ordinance was offered by board member Elizabeth Marvel and supported by board member Ann Schafer.

*An Ordinance Imposing a Temporary Moratorium on the Issuance of Permits, Licenses, or Approvals for the Construction or Establishment of Any Solar Energy Systems.*

WHEREAS, it has recently come to the attention of the Dallas Township Board ("Township Board") that without a thorough review of the Township's current Solar Ordinance, the establishment of Solar Energy Systems within Dallas Township, may interfere with other land uses, impair property values, impede current Township zoning goals, and negatively impact the environment; and

WHEREAS, a Commercial Solar Energy System is a utility-scale Solar Energy System where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by photovoltaic devices or other conversion technology, for the sale, delivery or consumption of the generated energy by more than one end user; and

WHEREAS, a Non-Commercial Solar Energy System is a Solar Energy System where the sole use of the Photovoltaic Devices or other conversion technology is for personal consumption by a single end-user upon the same property where the energy system is located; and

WHEREAS, Commercial and Non-Commercial Solar Energy Systems are hereafter collectively referred to as Solar Energy Systems; and

WHEREAS the Township Board desires to undertake a thorough review of the current regulatory framework, solicit robust public comment, and develop a consistent regulatory approach addressing concerns stemming from Solar Energy Systems that dovetails and compliments state and federal regulatory requirements; and

WHEREAS, the Township has a legitimate public purpose in addressing the proper and consistent regulation of all Solar Energy Systems to, among other things, minimize nuisances from such developments on the public; and

WHEREAS, the Township Board wishes to consider options for regulating Solar Energy Systems within the Township consistent with applicable state and federal laws, to better protect the public health, safety, and general welfare of the Township; and



WHEREAS, the research, review, and drafting of ordinance(s) capable of accomplishing proper and consistent regulation of Solar Energy Systems will take several months; and

WHEREAS, the Township is legitimately concerned that the current regulations established by the Dallas Township Zoning Ordinance to regulate Solar Energy Systems may be inconsistent, or inadvisable based on the current needs of the Township community and the zoning goals of the Township, thereby posing a potential threat to the public health, safety, and general welfare of the Township; and

WHEREAS, it is a routine and appropriate method to forestall such threats to the public health, safety, and general welfare to enact a reasonable and temporary moratorium until appropriate regulation can be enacted and effective; and

WHEREAS, absent a temporary moratorium on the construction or establishment of any Solar 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 issuance of permits, licenses, and approvals for the construction or establishment of any Solar Energy Systems for one (1) year unless otherwise extended by the Township Board.

THEREFORE, IT IS RESOLVED by the Dallas Township Board as follows:

**DALLAS TOWNSHIP, CLINTON COUNTY, MICHIGAN ORDAINS:**

**Section 1: Moratorium.** Dallas Township hereby temporarily prohibits the issuance of all permits, licenses, and approvals for the construction or establishment of any Solar Energy Systems pending further study, enactment, and effect of Township regulation addressing the same.

**Section 2: Term.** This Ordinance shall terminate and be of no further effect after one (1) year from the effective date of this Ordinance, unless otherwise extended by the Township Board.

**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 Dallas Township, as provided by law.

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

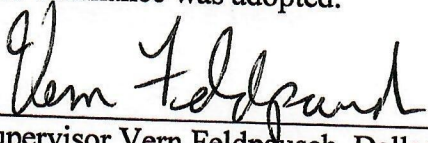
ROLL CALL VOTE:

AYES: Schafer, A; Schafer S; Koenigsknecht, T; Marvel, E; and Feldpausch V.

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_


The Ordinance was adopted.

  
\_\_\_\_\_,  
Supervisor Vern Feldpausch, Dallas Township

## CERTIFICATION

I hereby certify that:

1. The above is a true copy of the said Ordinance, adopted by the Dallas Township Board at a duly scheduled and noticed meeting of that Township Board held on September 13, 2021, pursuant to the required statutory procedures.
2. A summary of this Ordinance was duly published in the Lansing State Journal newspaper that circulates within Dallas Township, on Sunday, September 19, 2021.
3. Within one (1) week after such publication, I recorded this 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 this Ordinance with the Clinton County Clerk on September 15, 2021.

  
Therese Koenigsknecht  
Clerk, Dallas Township  
(989) 593-2542

