

**STANTON TOWNSHIP
ORDINANCE NO. 8**

At a meeting of the Stanton Township Board, Houghton County, Michigan, held at the Township Hall on August 4, 2021, at 6:00 p.m., Board Member MARK HAATAJA moved to adopt the following ordinance, which motion was seconded by Board Member MARTY RAJALA.

**AN ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM ON FILING,
PROCESSING, AND OTHER ACTIONS RELATING TO BUILDING PERMITS
AND PERMIT APPLICATIONS FOR WIND ENERGY CONVERSION SYSTEMS**

THE TOWNSHIP OF STANTON ORDAINS:

1. Title. This ordinance shall be known as the “Stanton Township Wind Energy Conversion System Moratorium Ordinance.”
2. Purpose.
 - a. The Township Board has become aware that some property owners in the Township have been approached and asked to grant options, easements and/or leases across their land to allow for the erection of Wind Energy Conversion Systems.
 - b. In light of the existing pattern of predominantly residential, forestry, and agricultural land use within the Township, the Township Board believes that suitable regulations and controls are needed in order to mitigate adverse impacts relating to the erection of Wind Energy Conversion Systems.
 - c. The Township Board is vested with the authority, pursuant to Public Act 246 of 1945, MCL 41.181, *et seq.*, to establish reasonable requirements and regulations to govern and control Wind Energy Conversion Systems within the Township in order to protect the public health, safety and welfare of the Township residents and their property.
 - d. The Township Board requires sufficient time to study and develop such regulations and to follow any applicable procedures that might be needed to implement them, which might include the development and adoption of a zoning ordinance for the Township.
 - e. Accordingly, the Township Board wishes to impose a temporary moratorium relating to Wind Energy Conversion Systems in order to allow sufficient time for the development and implementation of an appropriate regulatory scheme.
3. Definitions. When used in this Ordinance:
 - a. *Township Board* shall mean the Stanton Township Board or such committee or commission appointed by and to which the Stanton Township Board’s authority has been duly and properly delegated.
 - b. *Wind Energy Conversion Systems* shall include all of the following:
 1. A mill or machine operated by wind acting on oblique vanes or sails that radiate from a horizontal shaft;
 2. A surface area such as a blade, rotor, or similar device, either variable or fixed, for utilizing the wind for electrical or mechanical power;
 3. A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity-producing device;

4. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy;
 5. The tower, pylon, or other structure upon which any, all or some combination of the above are mounted;
 6. Any other components not listed above but associated with the normal construction, operation, and maintenance of a Wind Energy Conversion System.
4. Regulations. Beginning on the effective date of this Ordinance and continuing as provided in Section 5, there shall be a moratorium relating to Wind Energy Conversion Systems with the following terms and conditions:
- a. It shall be unlawful for any person to file or submit an application for a building permit pertaining to the establishment, placement, construction, enlargement and/or erection of any Wind Energy Conversion System in the Township.
 - b. Because submitting such an application is not in conformance with all "applicable laws and ordinances," as required for the issuance of a building permit under MCL 125.1511(1), neither the Houghton County Building Official nor his or her designee's shall accept, process, approve, deny, or take any other official action with respect to a building permit application for a Wind Energy Conservation System that is received after or pending as of the effective date of this Ordinance.
 - c. To the extent any person has been issued a building permit for the establishment, placement, construction, enlargement and/or erection of a Wind Energy Conservation System but did not commence work of a substantial character pursuant to the permit prior to the effective date of this Ordinance, it shall be unlawful to build pursuant to such permit as of the effective date of this Ordinance.
5. Duration of Moratorium. The moratorium established in Section 4 shall remain in effect for a period of 9 months following the effective date of the Ordinance or until the effective date of newly adopted zoning ordinance regulating Wind Energy Conversion Systems in the Township, whichever occurs first. Notwithstanding the foregoing, before this moratorium expires, the Township Board may by resolution extend the moratorium for a reasonable amount of time to the extent needed to complete its consideration and development of such ordinance. If an extension is adopted, the Township will publish notice of the extension.
6. Severability. This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phases and clauses are hereby declared severable, and if any of them are adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected by such determination.
7. Conflicting Ordinance. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed and superseded to the extent of any conflict.
8. Effective Date. This Ordinance shall take effect immediately upon publication as provided by law following adoption by the Township Board.

Yeas: Board member: HAATAJA, HEINONEN, ANDERSON, PIONKE, RASALA

Nays: Board member: Ø

Abstain: Board member: Ø

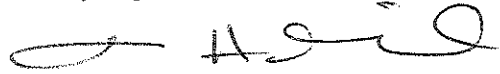
Absent: Board member: Ø

CERTIFICATION

I certify that this is a true and complete copy of a resolution adopted by the Stanton Township Board, Houghton County, Michigan, at a regularly scheduled meeting held on August 4, 2021.



Marty Rajala, Township Supervisor



Kara Heinonen, Township Clerk