

**MANCHESTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE NO. 108**

**SECOND ORDINANCE EXTENDING COMMERCIAL WIND ENERGY
CONVERSION SYSTEMS (WECS) MORATORIUM**

At a meeting of the Township Board of Manchester Township, Washtenaw County, Michigan, (“Township”) held at the Manchester Township Hall, on the 12th day of December 2023, at 7:00 p.m., Thompson moved to adopt the following Ordinance, which motion was seconded by Fusilier.

An ordinance to extend the existing temporary moratorium on the permitting, consideration, approval, location, erection, construction, and/or installation of any Commercial WECS projects for a period of ninety (90) days.

WHEREAS, the Township has adopted a zoning ordinance and other ordinances, including Zoning Ordinance Amendments No. 67 and No. 84 (“WECS Ordinance”) which regulate, among other things, the Commercial WECS land use. A WECS generally is any device such as a wind charger, windmill, or wind turbine that converts wind energy to a form of usable energy. A Commercial WECS generally means any WECS designed and built to provide electricity to a utility grid (e.g., utility-scale wind farm); and

WHEREAS, due to concerns from the public and Township officials about appropriate regulations to regulate Commercial WECS land use, among other issues associated with the Commercial WECS land use, the Township has engaged in a review of its existing WECS Ordinance to explore revising its regulations governing the Commercial WECS land use; and

WHEREAS, the Township has a legitimate purpose in addressing the proper design, size, location, and operation of Commercial WECS in the Township; and

WHEREAS, the Township is reasonably concerned that continued application of the WECS Ordinance could cause future Commercial WECS 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 extend the existing temporary moratorium on such Commercial WECS land uses until any necessary revised regulations can be enacted; and

WHEREAS, the Township has determined that a moratorium is necessary to preserve the public peace, health, and safety by preventing the inappropriate location and establishment of Commercial WECS in the Township during the time needed to study, review, and potentially revise the Township’s current WECS Ordinance due to changed conditions within the Township; and

WHEREAS, the Township Board at its meeting on July 12, 2022 previously adopted the Ordinance Establishing Commercial Wind Energy Conversion Systems (WECS) Moratorium, which placed a one-year temporary moratorium on the permitting, consideration, approval, location, erection, construction, and/or installation of any Commercial WECS projects to permit

the Township to study, review, and potentially revise the regulations of the current Wind Ordinance; and

WHEREAS, the Township Board at its meeting on July 11, 2023, previously adopted the Ordinance Extending Commercial Wind Energy Conversion Systems (WECS) Moratorium which extended the one-year temporary moratorium on the permitting, consideration, approval, location, construction, and/or installation of any Commercial WECS projects for an additional one hundred eighty (180) days; and

WHEREAS, the Township has worked towards updating its ordinances and regulations governing Commercial WECS but requires additional time to review, revise and complete the necessary updates to its regulations based on the passage of Michigan House Bill 5120; and

WHEREAS, recognizing the moratorium is temporary in nature, the Township Board desires to extend the moratorium as specified for an additional ninety (90) days to allow the Township to promulgate new regulations in accordance with Michigan House Bill 5120.

NOW, THEREFORE, Manchester Township, Washtenaw County, Michigan, Ordains:

Section 1. Title: This Ordinance shall be known and cited as the Second Extension of the Manchester Township Commercial Wind Energy Conversion Systems (WECS) Moratorium.

Section 2. Moratorium: The Township extends the existing temporary moratorium on the permitting, consideration, approval, location, erection, construction, and/or installation of all Commercial WECS in the Township for an additional ninety (90) days from the date the existing temporary moratorium is set to expire.

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: Milkey, Thompson, Moutinho, Jarvis, Fusilier, Proctor

NAYS:

ABSENT: Seefeld

ORDINANCE DECLARED ADOPTED.



Ronald Milkey, Manchester Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Manchester Township Board at a duly scheduled and noticed meeting of the Township Board held on December 12, 2023, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Manchester Mirror newspaper, a newspaper that circulates within Manchester Township, on December 20, 2023.
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 Washtenaw County Clerk on December 20, 2023.

ATTESTED:



Danell Proctor, Manchester Township Clerk

**MANCHESTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
SECOND ORDINANCE EXTENDING COMMERCIAL WIND ENERGY
CONVERSION SYSTEMS (WECS) MORATORIUM**

**Ordinance No. 108
Notice of Adoption**

Please take notice that on December 12, 2023, the Township Board of Manchester Township adopted Ordinance No. 108, which extends the existing moratorium on the permitting, consideration, approval, location, erection, construction, and/or installation of Commercial WECS (generally utility-scale wind energy project that are intended to provide electricity to off-site users using wind turbines, among other improvements) in the Township by a period of ninety (90) days in order to allow additional appropriate time to study and potentially adopt revised regulations governing Commercial WECS. Copies of the Ordinance may be obtained from Danell Proctor, Manchester Township Clerk, at 275 S. Macomb St. Manchester, MI 48158 during regular business hours.

Published by Order of the Township Board
Manchester Township, Washtenaw County

Danell Proctor, Township Clerk
(734) 428-7090
mtwp_clerk@sbcglobal.net

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