

**KEENE TOWNSHIP
TOWNSHIP BOARD**

**RESOLUTION TO ADOPT AN ORDINANCE TO IMPOSE A MORATORIUM ON THE
ISSUANCE OF PERMITS, LICENSES, OR APPROVALS FOR, OR FOR ANY
CONSTRUCTION OF, COMMERCIAL WIND AND SOLAR ENERGY PROJECTS**

Resolution No. ~~000~~ 1-9-24

At a meeting of the Township Board for the Township of Keene, Ionia County, Michigan, held on the 9th day of January, 2024, at 7:00 p.m.

PRESENT: T. Hardy, B Holliberger, T Lewis, B Schafar, & C Wojcik

ABSENT: no one

The following preamble and resolution were offered by Bob Schafar and seconded by Taylor Lewis.

WHEREAS, Public Act 246 of 1945, MCL 41.181 *et seq.*, as amended, authorizes a township board to adopt and amend ordinances that regulate the public health, safety and general welfare of persons and property and to codify such ordinances; and

WHEREAS, the Township Board finds that establishing a moratorium upon the issuance of any and all permits, licenses, and approvals, or for any construction of, for any property in the Township for the establishment and use of Commercial Wind and Solar Energy Projects through November 28, 2024, with the ability to extend the moratorium or terminate it earlier by the adoption of a resolution for extension by the Township Board, is in the best interest of the public health, safety, and welfare to ensure that the Planning Commission and the Township Board have sufficient time and space during which to thoughtfully consider such regulations without the added pressure of pending applications or proposed developments involving Commercial Wind and Solar Energy Projects.

NOW, THEREFORE, the Township Board of the Township of Keene resolves as follows:

1. The Township Adopts Ordinance No. ~~20~~24- 1-9 , An Ordinance to Impose a Moratorium on the Issuance of Any and All Permits, Licenses, and Approvals, or For Any Construction of, Commercial Wind and Solar Energy Projects (the "Ordinance," attached as **Exhibit A**).

2. The Ordinance will be filed with the Township Clerk.

3. The Township Clerk is to publish notice of adoption of the Ordinance (in substantially the form of **Exhibit B**) in a newspaper of general circulation in the Township.

4. Additionally, the Township Board petitions the Township Planning Commission to consider amendments to the Zoning Ordinance to codify the moratorium as set forth in the attached Ordinance. The Township Board requests that the Planning Commission thereafter make a recommendation to the Township Board regarding any such proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

A vote on the above Resolution was taken and was as follows:

ADOPTED:

YEAS: 3

NAYS: 2

STATE OF MICHIGAN)
) ss.
COUNTY OF IONIA)

I, the undersigned, the duly qualified and acting Township Clerk of the Township of Keene, Michigan, CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a meeting held on the 9th day of Jan, 2024.

Tami Hardy
Tami Hardy, Township Clerk

EXHIBIT A

**KEENE TOWNSHIP
TOWNSHIP BOARD**

ORDINANCE NO. 2024-1-9

**AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS,
LICENSES, OR APPROVALS FOR, OR FOR ANY CONSTRUCTION OF,
COMMERCIAL WIND AND SOLAR ENERGY PROJECTS**

KEENE TOWNSHIP ORDAINS:

Section 1: Definition. A “Commercial Wind and Solar Energy Project” is a utility-scale commercial facility that converts energy into electricity, whether by wind, photovoltaics (PV) or various solar technologies, for the primary purpose of wholesale or retail sales of generated electricity. “Commercial Wind and Solar Energy Project” includes a utility-scale solar energy facility, a utility-scale wind energy facility, or both.

Section 2. Purpose and Findings. The purpose of this moratorium is to provide sufficient time for Keene Township to fully explore, analyze, research, and make informed decisions regarding Commercial Wind and Solar Energy Projects. In support of this Ordinance, the Keene Township Board has determined the following:

- A. The integration of Commercial Wind and Solar Energy Projects within the Township requires suitable regulations and controls for the protection of the health, safety and welfare of all of the Township’s residents.
- B. The Township wishes to consider whether amendments to its Zoning Ordinance to regulate the establishment and use of Commercial Wind and Solar Energy Projects are reasonable and necessary in order to better protect the public health, safety, and welfare of Township residents.
- C. Imposing a moratorium, on a limited temporary basis, to allow the Township time and space to fully and thoughtfully explore, analyze, research and develop any proposed zoning amendments regarding potential amendments to the Township's Zoning Ordinance applicable to Commercial Wind and Solar Energy Projects, is in the best interests of the public’s health, safety, and welfare.
- D. A moratorium should be imposed upon the issuance of any and all permits, licenses, and approvals for any property in the Township for the establishment and use of Commercial Wind and Solar Energy Projects from February 8, 2024 through November 28, 2024, subject to further extension or earlier termination by resolution adopted by the Township Board.

Section 3: Moratorium. A moratorium is hereby imposed upon the issuance any and all permits, licenses, and approvals for any property in the Township for the establishment and use of Commercial Wind and Solar Energy Projects, so long as this Ordinance is in effect.

Section 4: Term of Moratorium; Renewal. The moratorium imposed by this Ordinance shall take effect on February 8, 2024 and remain in effect through November 28, 2024 unless extended or terminated earlier.

Section 5. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 6. Repealer Clause. Any ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 7: Effective Date. This Ordinance is effective immediately following publication.

EXHIBIT B

**KEENE TOWNSHIP
TOWNSHIP BOARD**

**NOTICE OF ORDINANCE ADOPTION:
AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS,
LICENSES, OR APPROVALS FOR, OR FOR ANY CONSTRUCTION OF
COMMERCIAL WIND AND SOLAR ENERGY PROJECTS**

On JAN 9, 2024, Keene Township (the "Township") adopted Ordinance No. 24-1-9, An Ordinance to Impose a Moratorium on the Issuance of Permits, Licenses, or Approvals for, or for Any Construction of, Commercial Wind and Solar Energy Projects (the "Ordinance"). The following is a summary of the Ordinance. A true copy of the Ordinance is available at the Township Hall, 8505 Potters Rd., Saranac, MI 48881. *also on website keenetownship.org*

Section 1. Definition. This section defines "Commercial Wind and Solar Energy Projects."

Section 2. Purpose and Findings. This section describes the purpose and findings of the Ordinance made by the Township Board. This section further states that imposing a moratorium, on a limited temporary basis, to allow time for the Township to fully explore, analyze, research, and make informed decisions regarding potential regulation of Commercial Wind and Solar Energy Projects, is in best interests of the public's health, safety, and welfare.

Section 3. Moratorium. This section imposes a moratorium upon the issuance of any and all permits, licenses, or approvals for any property in the Township for the establishment or use of Commercial Wind and Solar Energy Projects, so long as this Ordinance is in effect.

Section 4: Term of Moratorium; Renewal. The moratorium imposed by this Ordinance shall take effect on February 8, 2024 and remain in effect through November 28, 2024. Before this moratorium expires, the Township may by resolution extend the moratorium or terminate it earlier, if necessary.

Section 5. Validity and Severability. This section provides that if any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 6. Repealer Clause. This section provides that any ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give the Ordinance full force and effect.

Section 7: Effective Date. This section provides that the Ordinance is effective immediately following publication.