

EXHIBIT A

ELMWOOD TOWNSHIP
TOWNSHIP BOARD
ORDINANCE NO. 2023-0419

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE TO INCLUDE A MORATORIUM ON THE ISSUANCE OF PERMITS, LICENSES, OR APPROVALS FOR, OR FOR ANY CONSTRUCTION OF, COMMERCIAL SOLAR PROJECTS, AND TO REPEAL SECTIONS OF THE TOWNSHIP ZONING ORDINANCE PERTAINING TO COMMERCIAL SOLAR ENERGY SYSTEMS

ELMWOOD TOWNSHIP ORDAINS:

Section 1. Repeal and Replacement of Section 12.17.C of the Township Zoning Ordinance

Section 12.17.C of the Township Zoning Ordinance is repealed and replaced with the following:

Section 12.17.C. Moratorium on Commercial Solar Energy Systems

- 1: **Definition.** A “Commercial Solar Energy System” shall mean an energy system defined in Section 21.01 of the Zoning Ordinance.
2. **Purpose and Findings.** The purpose of this moratorium is to provide sufficient time for the Elmwood Township Planning Commission and Township Board to fully and thoughtfully explore, analyze, research, and make informed decisions regarding Commercial Solar Energy Systems. In support of this Ordinance, the Elmwood Township Planning Commission and Township Board have determined the following:
 - a. The integration of Commercial Solar Energy Systems within the Township's existing land uses requires suitable regulations and controls to ensure compliance with the Township's Master Plan and for the protection for 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 Solar Energy Systems are necessary in order to better protect the public health, safety, and welfare of Township residents.
 - c. Imposing a moratorium, on a limited temporary basis, is reasonable and necessary in order 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 Solar Energy Systems.
 - 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

Solar Energy Systems for 6 months, subject to further extensions by resolution adopted by the Township Board.

- e. Any section of the Township Zoning Ordinance that could be construed to permit Commercial Solar Energy Systems in the Township while the moratorium remains in effect is repealed.
- 3: **Moratorium.** A moratorium is hereby imposed upon the issuance of any and all permits, licenses, or approvals for any property in the Township for the establishment and use of Commercial Solar Energy Systems, so long as this Ordinance is in effect.
4. **Term of Moratorium; Renewal.** The moratorium imposed by this Ordinance remains in effect for 6 months following the effective date of this Ordinance. Before this moratorium expires, the Township Board may, by resolution, extend the moratorium for up to 3 additional months, if in its judgment the Township Board determines additional time is necessary. If an extension is adopted, the Township will publish notice of the resolution of extension.

Section 2. 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 3. Repealer.

Any ordinances or parts of ordinances in conflict with this Ordinance, including but not limited to the ordinance adopted May 17, 2017, concerning solar energy systems, are hereby repealed but only to the extent necessary to give this Ordinance full force and effect. Specifically, but without limitation, any section of the Township Zoning Ordinance that could be construed to permit Commercial Solar Energy Systems in the Township while the moratorium remains in effect are repealed.

Section 4. Effective Date.

This Ordinance is effective as provided by law.