

EXHIBIT A

ELMWOOD TOWNSHIP
TOWNSHIP BOARD

ORDINANCE NO. 2024 - 0118

AN ORDINANCE TO IMPOSE A MORATORIUM ON
COMMERCIAL WIND ENERGY CONVERSION SYSTEMS AND
UTILITY-SCALE ENERGY STORAGE FACILITIES

ELMWOOD TOWNSHIP ORDAINS:

Section 1. Title. This Ordinance may be cited and referred to as the “Elmwood Township Wind Energy Conversion System and Battery Storage Facility Moratorium.”

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

- A. The integration of Commercial Wind Energy Conversion Systems and Utility-Scale Energy Storage Facilities 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 Energy Conversion Systems and Utility-Scale Energy Storage Facilities are reasonable and necessary in order to better protect the public health, safety, and welfare of Township residents. Moreover, with the passage of Act 233 of 2023, the Township desires additional sufficient time to consider the impact of the legislation on local control.
- C. Imposing a moratorium to allow the Township time and space to fully and thoughtfully explore, analyze, research, and develop any proposed zoning amendments to the Township’s Zoning Ordinance applicable to Commercial Wind Energy Conversion Systems and Utility-Scale Energy Storage Facilities, is in the best interests of the public’s health, safety, and welfare.

Section 3. Definitions. When used in this Ordinance:

- A. “Commercial Wind Energy Conversion Systems” means a Wind Energy Conversion System where the principal design, purpose or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.
- B. “Wind Energy Conversion System” means a system that uses 1 or more wind turbines to generate electricity.

- C. "Utility-Scale Energy Storage Facilities" means one or more devices, assembled together, capable of storing energy in order to supply electrical energy, including battery cells used for absorbing, storing, and discharging electrical energy.
- D. "Township Board" shall mean the Elmwood Township Board or such committee or commission appointed by and to which the Elmwood Township Board's authority has been duly and properly delegated.

Section 4. Regulation. Pursuant to Public Act 246 of 1945, MCL 41.181, *et seq.*, the statutory powers vested in Elmwood Township to regulate activities within the Township for protection of the health, safety and welfare of its residents, the Township Board declares a moratorium, on a temporary basis, on the establishment, placement, construction, enlargement and/or erection of Commercial Wind Energy Conversion Systems and Utility-Scale Energy Storage Facilities within the Township and on the issuance of any and all permits, licenses or approvals for any property subject to the Township's Zoning Ordinance for the establishment or use of Commercial Wind Energy Conversion Systems and Utility-Scale Energy Storage Facilities, in order to allow time for review of and potential amendments to the Township's Zoning Ordinance.

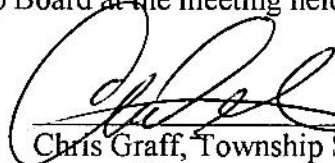
Section 5. Duration of Ordinance. The moratorium shall remain in effect for a period of six (6) months following the effective date of the Ordinance or until the Township Board adopts amendments to its zoning ordinance regulating Commercial Wind Energy Conversion Systems and Utility-Scale Energy Storage Facilities, whichever occurs first. Before this moratorium expires, the Township may by resolution extend the moratorium for an additional period of six (6) months to allow sufficient time to complete amendments to its Zoning Ordinance. If an extension is adopted, the Township will publish notice of the extension.

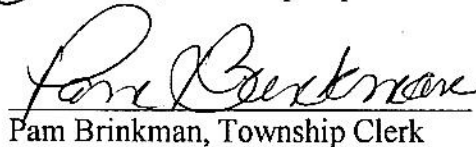
Section 6. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 7. Repealer Clause. Any ordinances or parts of ordinances in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 8. Effective Date. This Ordinance takes effect the day following its publication.

The undersigned Supervisor and Clerk of the Township of Elmwood hereby certify that this Ordinance was duly adopted by the Township Board at the meeting held on the 17 day of January, 2024.


Chris Graff, Township Supervisor


Pam Brinkman, Township Clerk