

ORDINANCE NO. 3

TOWNSHIP OF ARBELA

TUSCOLA COUNTY, MICHIGAN

ADOPTED: Nov. 11 2024

PUBLICATION DATE: Nov. 27 2024

EFFECTIVE: Dec. 27 2024

An ordinance of the Township of Arbela, Tuscola County, Michigan, to amend the Arbela Township Zoning Ordinance; to ratify and confirm the remainder of the Arbela Township Zoning Ordinance unless otherwise stated; to provide a procedure for conflicts with other laws; to provide for sanctions; to provide that pending proceedings are not affected; to provide for severability; to repeal all Ordinances or parts of Ordinances in conflict herewith; to provide for an Effective Date; and to direct the publication of this Ordinance or a legally-permissible summary.

THE TOWNSHIP OF ARBELA
TUSCOLA COUNTY, MICHIGAN ORDAINS:

SECTION I
AMENDMENT TO ARBELA TOWNSHIP ZONING ORDINANCE

The Arbela Township Zoning Ordinance (and all appendices thereto) is hereby amended as follows:

SOLAR-ENERGY SYSTEMS (SES)

SECTION A: PURPOSE AND INTENT

The purpose of this section is to establish standards and procedures by which the installation and operation of a Solar-Energy System(s) (hereinafter "SES") shall be regulated within Arbela Township (hereinafter "the Township"), in order to promote the safe, effective and efficient use of solar energy.

SECTION B: DEFINITIONS

Words or terms used in this Ordinance shall have the following defined meanings. Undefined words shall be given their plain and ordinary meaning.

1. Abandonment. To give up, discontinue, withdraw from. Any solar energy facility that ceases to produce energy on a continuous basis for 12 months will be considered abandoned.

2. Affected local unit means a unit of local government in which all or part of a proposed energy facility will be located. 2. “Aircraft detection lighting system” means a sensor-based system designed to detect aircraft as they approach a wind energy facility and that automatically activates obstruction lights until they are no longer needed.
3. Aircraft detection lighting system means a sensor-based system designed to detect aircraft as they approach a wind energy facility and that automatically activates obstruction lights until they are no longer needed.
4. Ancillary solar equipment. Any accessory part or device of the SES that does not require direct access to sunlight, such as batteries, electric meters, converters, racking/supports, plumbing, or water heater tanks.
5. Applicant. The person, firm, corporation, company, limited liability corporation, or other entity which applies for Township approval under this section, as well as the applicant’s successor(s), assign(s), and/or transferee(s) to any approved SES. An applicant must have the legal authority to represent and bind the landowner and lessee. The obligations regarding a zoning approval for any approved SES shall be with the owner of the SES and jointly and severally with the owner and operator or lessee of the SES if different than the owner.
6. Application. A form to be developed from time to time by the Zoning Administrator or per appointee of the Arbela Township Supervisor. An application for a SES shall be filed with the Arbela Township Zoning Administrator and subject to approval by the Arbela Township Planning Commission.
7. Certificate means a certificate issued for an energy facility by the Michigan Public Service Commission under MCL 460.1226(5).
8. Compatible renewable energy ordinance means an ordinance that provides for the development of energy facilities within the local unit of government, the requirements of which are no more restrictive than the provisions included in section MCL 460.1226(8). A local unit of government is considered not to have a compatible renewable energy ordinance if it has a moratorium on the development of energy facilities in effect within its jurisdiction.
9. Construction means any substantial action taken constituting the placement, erection, expansion, or repowering of an energy facility.
10. Dark sky-friendly lighting technology means a light fixture that is designed to minimize the amount of light that escapes upward into the sky.
11. Energy facility means an energy storage facility, solar energy facility, or wind energy facility. An energy facility may be located on more than 1 parcel of property, including noncontiguous parcels, but shares a single point of interconnection to the grid.

12. Energy storage facility means a system that absorbs, stores, and discharges electricity with a nameplate capacity of 50 megawatts or more and an energy discharge capacity of 200 megawatt hours or more. Energy storage facility does not include either of the following: (i) Fossil fuel storage. (ii) Power-to-gas storage that directly uses fossil fuel inputs.
13. Fence: A continuous barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of steel, or other material of similar nature and strength. The barrier may be solid or have openings, as long as the openings in the barrier shall not allow passage of a 4 inch diameter (102 mm) sphere. Where the barrier is composed of horizontal and vertical members, the spacing shall not exceed 1.75 inches (44 mm) in width.
14. Ground Mount System. A freestanding solar energy system that is not attached to and is separate from any building on the same parcel on which the solar energy system is located.
15. Independent power producer, or "IPP", means a person that is not an electric provider but owns or operates facilities to generate electric power for sale to electric providers, this state, or local units of government.
16. Laydown Yard. An area outside a work or construction site where tools, materials, equipment, vehicles, etc. are stored until they need to be used.
17. Light intensity dimming solution technology means obstruction lighting that provides a means of tailoring the intensity level of lights according to surrounding visibility.
18. Light-mitigating technology system means an aircraft detection lighting system, a light intensity dimming solution technology, or a comparable solution that reduces the impact of nighttime lighting while maintaining night conspicuity sufficient to assist aircraft in identifying and avoiding collision with the wind energy facilities.
19. Local unit of government or "local unit" means a county, township, city, or village.
20. Nameplate capacity means the designed full-load sustained generating output of an energy facility. Nameplate capacity shall be determined by reference to the sustained output of 3 an energy facility even if components of the energy facility are located on different parcels, whether contiguous or noncontiguous.
21. Nonparticipating property means a property that is adjacent to an energy facility and that is not a participating property.
22. Occupied community building means a school, place of worship, day-care facility, public library, community center, or other similar building that the applicant knows or reasonably should know is used on a regular basis as a gathering place for community members.

23. Parcel. A parcel is determined by the legal description of land identified by the tax identification number existing at the effective date of this ordinance or if such number does not then exist, such time as is appropriate for the fulfillment of the intent of this ordinance.
24. Residential SES. A ground mounted or roof mounted SES that is accessory to the principle residential use on the parcel.
25. Roof Mount System. An SES which is installed directly on the roof of a residence.
26. Site. That part of the parcel on which a SES is to be located.
27. Solar Energy. Radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.
28. Solar energy facility means a system that captures and converts solar energy into electricity, for the purpose of sale or for use in locations other than solely the solar energy facility property, and with a nameplate capacity of 50 megawatts or more. Solar energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: photovoltaic solar panels; solar inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; utility lines and installations; generation tie lines; solar monitoring stations; and accessory equipment and structures
29. Solar Energy System. An energy facility that includes an area of land principally used to convert solar energy to electricity, which includes, but is not limited to, all the components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. This term applies to solar photovoltaic (PV) systems used for the purpose of generating and selling energy to a public utility off site and does not apply to private commercial or residential uses where energy is used for supplying supplemental electricity for on-site uses.
30. Solar Glare. The effect produced by light reflecting from a solar panel with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
31. The term "landowner" or "owner," as applied to property, includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or part of such property. With respect to special assessments, however, the owner shall be considered to be the person who appears on the assessment roll for the purpose of giving notice and billing.

SECTION C: SOLAR ENERGY SYSTEMS ALLOWED AS A PERMITTED USE (RESIDENTIAL SES)

A ground mount or roof mount residential solar energy system used to convert solar energy to electricity where electricity is not sold off site shall be a permitted use in the A-1 (Agricultural), RR-1 Rural Residential, and RC-1 Residential Cluster zoning districts only subject to the following regulations:

- A. A zoning permit shall be obtained from Arbela Township prior to construction of a residential SES. A building permit shall be issued prior to operation of a Solar Energy System after an inspection of the SES by the Arbela Township Building inspector or an authorized agent of the Township, and a written report of what the inspection finds that the SES complies with all applicable state construction and electrical codes, local building permit requirements and fees, and all manufacturers' installation instructions. The operator of the SES is responsible for all costs of any such inspection. The SES shall not operate nor remain on the parcel unless building and zoning permits have been issued.
- B. Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of the manufacturer's installation instructions and blueprints shall be provided to the Township and its inspectors.
- C. A Residential SES shall provide electrical power only for one dwelling unit and residential outbuildings or one farmstead, located on that parcel on which the SES is located.
- D. The Township shall have the right upon approving any SES to inspect the premises on which the SES is located at all reasonable times. The Township may hire a consultant to assist with any such review and inspections at the applicant's cost.
- E. All ground mounted solar panels and SES shall comply with the following:
 - i. Shall be located on parcels with a minimum of 15,000 square feet in size.
 - ii. All set back, yard location requirements, and percentage of lot coverage for Accessory buildings shall be met.
 - iii. For lots less than one acre in size, all ground mounted solar panels and SES shall not exceed 10 feet in height when utilized in conjunction with residential properties or structures; all other uses and properties shall comply with the structure height requirements for the applicable land use district.
 - iv. For lots less than one acre in size, the total surface area of all solar panels and SES shall not exceed 800 square feet.

- v. Solar energy collectors shall be permanently and safely attached to the ground.
 - vi. The exterior surfaces of solar energy collectors shall be generally neutral in color and substantially non reflective of light.
- F. All solar panels or SES on rooftops or structures shall comply with the following:
- i. All structure height requirements for the applicable land use district shall be complied with, inclusive of the solar panel or SES.
 - ii. No part of the solar panel or SES and equipment shall extend beyond the edge of the roof.
 - iii. Required accessory equipment may be permitted on the ground and shall meet all accessory structure setbacks and requirements of the Township's Zoning Ordinance and other applicable ordinances.
 - iv. The exterior surfaces of solar energy collectors that are mounted on the roof or on a wall of a building, or are otherwise attached to a building or structure, shall be generally neutral in color and substantially non-reflective of light.

SECTION D: SOLAR ENERGY SYSTEMS WHICH REQUIRE A SPECIAL USE PERMIT (COMMERCIAL SES).

An energy facility or an area of land principally used to convert solar energy to electricity, which includes but is not limited to, the use of one or more solar energy systems are a commercial solar energy system. These facilities primarily sell electricity to be used off site. They shall be permitted as a Special Use within C-1 (Commercial) and A-1 (Agricultural) zoning districts, subject to the following regulations:

- A. A Commercial SES is limited to sites of a minimum of 20 acres of land.
- B. A Commercial SES must comply with the requirements of this Chapter and other applicable chapters or sections of the Arbela Township Zoning Ordinance.
- C. A Commercial SES shall be considered a special use and must adhere to the following procedures:
 - i. The Planning Commission will hold a public hearing after reviewing the application for the Special Use Permit. A decision on the Special Use Permit application by the Planning Commission is inclusive of all proposed Solar Energy Facilities, underground electrical lines, sub stations, junction boxes, laydown yard(s), and any operations/maintenance building(s).
 - ii. Applicant must provide the name and address in full, a statement that the applicant is the owner involved or is acting of the owner's behalf, the

address of the property involved in the application or parcel identification number(s), and any additional contact information. Each application for a Commercial SES shall also be dated to indicate the date the application is submitted to Arbela Township.

- iii. A general description of the proposed project including a legal description of the property or properties on which the project would be located and an anticipated construction schedule must be included.
- iv. A description and drawing of the proposed technology to include type of solar panel and system, fixed mounted versus solar tracking, number of panels, and angles of orientation must be included.
- v. Application must include site plan requirements, including:
 - a. The project area boundaries.
 - b. The location, height, and dimensions of all existing and proposed structures and fencing.
 - c. The location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest road.
 - d. Existing topography.
 - e. Water bodies, waterways, wetlands, drainage channels and drain easements.
 - f. A site grading, erosion control and storm water drainage plan. The plans will be reviewed by the Township or certified professional designated by the Township at the applicant's cost.
 - g. All comments from the Tuscola County Public Works Commissioner's office pertaining to the proposed solar energy facility shall be submitted to the Planning Commission.
 - h. All new infrastructure, both above and below ground, related to the project. This includes inverters and batteries and all ancillary solar equipment.
 - i. Identification of a construction/set-up/laydown area.
- vi. The SES operator shall maintain a current insurance policy which will cover installation and operation of the SES. The minimum amount of the policy shall be an amount to be set by the Township Board by Resolution, which may be adjusted by the Township Board from time to time.
- vii. Application must include certifications that the applicant has complied or will comply with all the applicable county, state, and federal laws, regulations, and ordinances, including compliance with the Farmland Preservation act (PA 116).
- viii. Application must include a Manufacturers' Data Sheet(s). Documentation shall include the type and quantity of all materials used in the operation of all equipment.

- ix. Application must include Visual Simulations. Photo exhibits visualizing the proposed solar energy system, with emphasis on visualizing the location of any fences, landscaping, access roads, and setbacks from adjacent non-participating property.
 - x. Applicant shall submit a maintenance plan that: demonstrates that the SES will be designed, constructed, and operated to minimize dust generation, including during construction; states the manner how unpaved access roads will be treated and maintained for dust control; and provisions that will be employed to maintain and promote native vegetation while minimizing the proliferation of weeds during and following construction.
 - xi. The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. The owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
 - xii. A decommissioning plan as described in the Arbela Township Zoning Ordinance is required.
- D. Commercial SES shall be fenced completely pursuant to the Arbela Township Zoning Ordinance. The perimeter fence shall be designed to restrict unauthorized access and additional security measures are encouraged.
- E. All improved areas, including disposal areas, shall be at least 25 feet from the public right of way and 25 feet from a fence line.
- F. The applicant must obtain a driveway permit from the Tuscola County Road Commission or MDOT, as applicable.
- G. The applicant must obtain any drain permits from the Tuscola County Public Works Commissioner or MDEQ, as applicable.
- H. No portion of the Commercial SES shall contain or be used to display advertising.
- I. The manufacturers or installer's identification and appropriate warning sign shall be posted on or near the panels in a clearly visible manner; furthermore, an information sign shall be posted and maintained at the entrance(s), which shall list the name and phone number of the operator.
- J. A copy of the application to the utility company that will be purchasing electricity from the proposed site shall be provided to the Township Planning Commission.

- K. Improved areas shall be at least 30 feet from any residential use, or church, measured from the lot line.
- L. All access roads and storage areas shall be established on a 30-foot minimum easement to a public right of way.
- M. The site of a Commercial SES shall be improved and maintained with a drought tolerant, perennial vegetative ground cover over the entire property including under and around solar arrays. The purpose of this ground cover shall be the prevention of soil erosion and the management of storm water runoff.
- N. Top soil shall not be removed from the property during construction nor during operation of the facility.
- O. All solar energy facilities shall have a minimum landscape buffer of 25 feet along any road or adjacent to a residential use. The buffer shall contain evergreen trees or bushes planted no more than 8 feet apart and at least 4-foot-tall at time of planting and in such a manner as to provide maximum effect of the buffer, such as staggering or double rows. The buffer shall obtain a height of 10 feet within 3 growing seasons. The trees or bushes may be trimmed but no lower than a height of 10 feet. Each owner or operator of a SES shall maintain the landscape buffer so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be removed and must be replanted. Grass around the SES shall not exceed 10 inches in height and shall be maintained by the facility operator.
- P. If a Commercial SES ownership changes, the new owner/operator must meet with the Arbela Township Planning Commission to review the conditions of the use permit within 60 days of the change in ownership.
- Q. No additional noise over the existing ambient level shall be heard at the property lines of the project. If noise complaints occur, the owner/operator may be required to complete a noise study and mitigate any additional noise that is found.
- R. Light and Glare-
 - i. All SES shall be placed such that solar glare does not project onto nearby inhabited structures, non-participating parcel or roadways, and be considered a nuisance.
 - ii. The applicant has the burden of proof that any glare produced does not have an adverse effect on neighboring or adjacent uses through siting and mitigation. If the solar panel systems do produce a glare, the applicant shall be responsible for mitigation, and will provide a mitigation plan.

- iii. The design and construction of the SES shall not produce light emissions, either direct or indirect (reflective), that would interfere with pilot vision and /or traffic control operations.

SECTION E: LIMITATION OF SOLAR ENERGY SYSTEMS REGARDING TOTAL AREA OF THE TOWNSHIP.

- 1. The total aggregate amount of all Solar-Energy Systems ("SES") permitted (either by right or by special land use) within the geographic boundaries of the Township shall never be greater than the equivalent of 4% of the total acres in the Township. The entirety of any parcel that is used as part of an SES Project shall count towards the aggregate 4% total described in this sub-section regardless of whether less than the full area of the Parcel actually contains SES infrastructure.

SECTION F: STANDARDS FOR ALL SOLAR ENERGY SYSTEMS

- A. Solar energy equipment shall be located in the least visibly obtrusive location where panels would be functional.
- B. Solar energy equipment shall be repaired or replaced or removed within three (3) months of becoming nonfunctional.
- C. Each system must conform to applicable industry standards including those of the American National Standard Institute. (ANSI).
- D. All proposed facilities must comply with all applicable local, state, and federal standards and requirements, including electrical and building code.
- E. All Solar Energy Systems must comply with the requirements established in the Arbela Township Rural Zoning Ordinance.

SECTION G: APPLICATION TO CONSTRUCT SOLAR-ENERGY FACILITY

An electric provider or IPP that proposes to obtain a certificate from the Michigan Public Service Commission to construct an energy facility within the Township shall follow the following application process:

- A. At least 60 days before the public meeting provided for in MCL 460.1223, an electric provider or IPP shall offer in writing to meet with the Township Supervisor, or the Supervisor's designee, to discuss the site plan. The offer to meet must be delivered by email and certified mail and must also be sent to the Township Board in care of the Township Clerk in this same manner. The Supervisor or Supervisor's designee must respond within 30 days from the offer to meet.
- B. Within 30 days following the meeting described in paragraph A, the Township Supervisor shall notify the electric provider or IPP planning to construct the energy facility that the

Township has a compatible renewable energy ordinance. If all affected local units with zoning jurisdiction provide similar timely notice to the electric provider or IPP, then the electric provider or IPP shall file for approval of a permit with the Township.

- C. To file for approval of a permit the electric provider or IPP must submit a complete application to the Township Clerk. The application form to be used shall be adopted by resolution of the Township Board. The application shall contain the items set forth in MCL 460.1225(1), except for (l)(j) and (s). The application may also require other information to determine compliance with this Compatible Renewable Energy Ordinance. By resolution, the Township may establish an application fee and escrow policy to cover the Township's reasonable costs of review and processing of the application, including but not limited to staff, attorney, engineer, planning, environmental, or other professional costs.

SECTION H: APPLICATION REVIEW

The application shall be processed as a special land use subject to the provisions of this Article and Ordinance. The Arbela Township Planning Commission shall approve or deny the application within 120 days after receiving a complete application. This deadline may be extended by up to 120 days pursuant to the Township's sole discretion. In consideration of the application the Township Planning Commission must approve the application and issue a permit for the requested construction if it complies with the following standards:

- (i) The following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:
 - a. Setback Description Setback Distance Occupied community buildings and dwellings on nonparticipating properties 300 feet from the nearest point on the outer wall.
 - b. Public road right-of-way 50 feet measured from the nearest edge of a public road right-of-way.
 - c. Nonparticipating parties 50 feet measured from the nearest shared property line.
- (ii) Fencing for the solar energy facility complies with the latest version of the National Electric Code as of November 29, 2024 or any applicable successor standard approved by the Michigan Public Service Commission as provided in MCL 460.1226(8)(a)(ii).
- (iii) Solar panel components do not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.
- (iv) The solar energy facility does not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- (v) The solar energy facility will implement dark sky-friendly lighting solutions.

- (vi) The solar energy facility will comply with any more stringent requirements adopted by the Michigan Public Service Commission as provided in MCL 460.1226(8)(a)(iv).

SECTION I: COMPLIANCE WITH PERMIT

- A. Upon approval of an application the Township shall issue the permit to the electric provider or IPP. Construction of the proposed energy facility must begin within 5 years after the date the permit is issued and any challenges to the grant of the permit are concluded. The Township Planning Commission may extend this timeline at the request of the electric provider or IPP without requiring a new application.
- B. The permit shall require the electric provider or IPP to remain in compliance at all times with the standards identified for approval of the permit and all documentation submitted with and affirmations made in the application, including, but not limited to, the site plan, decommissioning plan, fire response plan, and emergency plan. No changes may be made to the permit by the electric provider or IPP without the written agreement of the Township. The energy facility must further comply with all local ordinances, state and federal laws and regulations except as otherwise provided in Section MCL 460.1231. The Township shall not revoke a permit except for material noncompliance with the permit by the electric provider or IPP.
- C. A permit may be transferred to another electric provider or IPP upon the filing with the Township of an attestation by the transferee that it accepts the terms of the permit and acknowledges that it is subject to this Ordinance.

SECTION J: HOST COMMUNITY AGREEMENT

- A. The permit holder shall enter into a host community agreement with the Township within 90 days after issuance of the permit. The host community agreement shall require that, upon commencement of any operation, the energy facility owner must pay the Township \$2,000.00 per megawatt of nameplate capacity located within the Township. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the Township and the permit holder within said 90 days

SECTION K: INTERPRETATION

- A. The provisions contained in this Article are intended to meet the definition of a Compatible Renewable Energy Ordinance pursuant to 2023 PA 233, as may be amended, MCL 460.1221 et. seq. and shall only be interpreted in a manner consistent with such intent.

SECTION II **RATIFICATION AND CONFIRMATION OF REMAINDER OF ARBELA TOWNSHIP** **ZONING ORDINANCE**

Except as otherwise stated herein, the remainder of the Arbela Township Zoning Ordinance is hereby confirmed and ratified.

SECTION III
CONFLICTS WITH OTHER LAWS OR REGULATIONS

If any provision of this Ordinance differs from a provision of any other applicable law, ordinance, rule, or regulation, both the provision of this Ordinance and the differing provision shall apply if possible. If the two (2) provisions are in conflict, then the provision establishing the higher or stricter standard shall apply.

SECTION IV
PENDING PROCEEDINGS NOT AFFECTED.

Nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION V
SEVERABILITY

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid. The Arbela Township Board of Trustees hereby declares that it would have enacted this Ordinance even without whatever provision may be declared invalid by a court of competent jurisdiction.

SECTION VI
REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

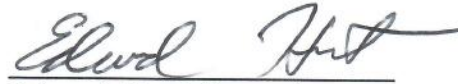
SECTION VII
EFFECTIVE DATE

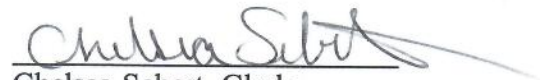
This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect the day following publication as required by law following adoption by the Township Board.

SECTION VIII
TOWNSHIP PUBLICATION

The Township Clerk is hereby ordered and directed to cause a Notice of Ordinance adoption to be published in a newspaper of general circulation within Arbela Township.

This Ordinance is hereby declared to have been adopted by the Arbela Township Board of Trustees, County of Tuscola, State of Michigan, at a regular meeting held on the 11 day of November 2024 and ordered to be given publication in the manner prescribed by law.


Edward Hunt, Supervisor


Chelsea Sebert, Clerk

Date of Publication: 11-27-25

Newspaper: The Advertiser

*****The Township Clerk's Certification is contained on the following page*****

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CERTIFICATION

ADOPTED

YEAS:

Tim Anderson, Jody Hunt, Ed Hunt.....

ABSTAIN:

Gary Woelzlein: Due to his seat on the Planning Commission

ABSENT:

Chelsea Sebert

State of Michigan, County of Tuscola,

I the undersigned Township Clerk for the Township of Arbela, Tuscola County, Michigan, certify that the above Ordinance No. 3, adopted by the Township Board of Trustees of the Township on the 11th day of November 2024, and was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date. It was signed by the Supervisor and Clerk of the Township.

Dated: Nov. 11 2024

Chelsea Sebert
Chelsea Sebert, Clerk

ARBELA TOWNSHIP
TUSCOLA COUNTY, MICHIGAN

RESOLUTION APPROVING INCREASED SOLAR-FEE APPLICATION ESCROW
DEPOSIT

RESOLUTION NO. 25-3

DATED: 6-9-25

At a regular meeting of the Arbela Township Board of Trustees, Tuscola County, Michigan, held at the Arbela Township Governmental Offices located at 8935 Birch Run Road, Millington, MI 48746 on the 9th day of June 2025, at 6:00 p.m. the following Resolution was introduced and adopted:

PRESENT: Tim Anderson, Gary Woelzlein, Jody Hunt,
Chelsea Sebert, Ed Hunt

ABSENT: None

RESOLUTION APPROVING INCREASED SOLAR-FEE APPLICATION ESCROW
DEPOSIT

WHEREAS, Arbela Township ("the Township") desires to regulate the activities and operations of Solar-Energy Systems as regulated in the Arbela Township Zoning Ordinance ("the Zoning Ordinance") all in accordance with PA 233 of 2023, PA 234 of 2023, and PA 110 of 2006.

WHEREAS, the Township has adopted an Ordinance/Ordinances regulating the activities and operations of the aforesaid Solar-Energy Systems.

WHEREAS, the aforesaid Ordinance(s) direct the Township Board to adopt and promulgate a Resolution approving a Fee Schedule for Solar Energy Systems.

WHEREAS, the aforesaid Ordinance(s) direct and permit the Township Board to adopt and promulgate a Resolution establishing an escrow deposit sum for Solar Energy Systems Applications.

WHEREAS, the Arbela Township Board of Trustees hereby finds that the adoption of this Resolution will benefit the health, safety, and welfare of Arbela Township's residents, property owners, and business owners.

NOW, THEREFORE, BE IT RESOLVED:

1. The Arbela Township Board of Trustees hereby increases the minimum escrow deposit sum to \$75,000.00, which shall be used by the Township to reimburse the Township for expenses and costs incurred in connection with the review (and associated activities) of a Solar-Energy Systems Application(s).
2. No Applicant for a Solar-Energy System(s) in Arbela Township shall submit an Application without contemporaneously depositing no less than \$75,000.00 with Arbela Township, which shall be held in escrow by the Township for the purpose of reimbursing the Township for expenses and costs incurred in connection with the review (and associated activities) of a Solar-Energy Systems Application(s).
3. The aforesaid deposit sum may be used in all manners consistent with applicable Township Ordinances and regulations and state law.
4. The instant Ordinance may be amended or modified or superseded from time to time by Resolution of the Township Board as the Township Board deems appropriate.
5. All resolutions or parts of resolutions insofar as they conflict with the provisions hereof are rescinded to the extent of such conflict.
6. A copy of this Resolution shall be made available to any member of the public who files a proper request for same under Michigan's Freedom of Information Act, PA 442 of 1976, MCL 15.231 *et seq.*, except for any redactions which may be made pursuant to Michigan law.

This RESOLUTION was offered by Board member Chelsea Sebert, supported by Board member Jody Hunt at a meeting on June 9th 2025. The members of the Township Board voted as follows:

YEAS: Members Chelsea Sebert, Jody Hunt,
Tim Anderson, Gary Woelzlein, Ed Hunt

NAYS: Members None

ABSTAIN: Members None

The foregoing Resolution was duly adopted at a regular meeting of the Arbela Township Board held on June 9, 2025.



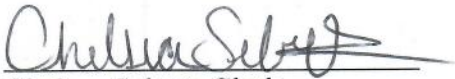
Ed Hunt
Supervisor of Arbela Township



Chelsea Sebert
Clerk of Arbela Township

RESOLUTION DECLARED ADOPTED: CERTIFICATION

I, Chelsea Sebert, Clerk of Arbela Township, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted at a regular meeting of the Arbela Township Board held on June 9th 2025; that the meeting was conducted and public notice of the meeting was given pursuant to and in compliance with the Michigan's Open Meetings Act; that a quorum of the Board was present and voted in favor of the resolution; and that the minutes of the meeting will be or have been made available as required by the Open Meetings Act.



Chelsea Sebert, Clerk
Township of Arbela
Tuscola County, Michigan

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