

AURELIUS TOWNSHIP

INGHAM COUNTY

STATE OF MICHIGAN

ORDINANCE NO. 39.17

ADOPTED: October 12, 2021

EFFECTIVE: November 6, 2021

AN ORDINANCE TO AMEND AURELIUS CODE OR ORDINANCES, CHAPTER 16, TITLED, "ZONING," ARTICLE IV, TITLED, "SUPPLEMENTAL REGULATIONS" TO ADD A NEW ORDINANCE 39.17, TITLED "PRIVATE / RESIDENTIAL SOLAR ENERGY SYSTEMS"; AND TO REPEAL ANY ORDINANCES IN CONFLICT THEREOF; AND TO PROVIDE AN EFFECTIVE DATE

The Township of Aurelius Board of Trustees, Ingham County, State of Michigan, ordains:

SECTION 16-577. PRIVATE / RESIDENTIAL SOLAR ENERGY SYSTEMS.

- a. **Purpose:** It is the purpose of this sub-section to promote the safe, effective, and efficient use of private or residential (non-commercial) solar energy systems to generate electricity. Further, it is the purpose of this sub-section to standardize and streamline the review and permitting process for solar energy systems.
- b. **Findings:** The Township recognizes that solar energy is an abundant, renewable, and nonpolluting energy resource of which some residents and utility companies would like to make use. Generation of electricity by these facilities will reduce dependence on non-renewable energy resources and decrease air and water pollution that results from the use of conventional fossil fuels. Solar energy systems will also enhance the reliability and power quality of the power grid, reduce peak power demands, and help diversify the Township's energy supply.
- c. **Definitions:**
 - i. A "solar energy system," in the context of this ordinance, means the solar panels and associated technology needed to harness the sun's energy and make it usable.

- ii. A “solar panel” is a flat panel that uses arrays of photovoltaic cells to convert sunlight into electricity.
- iii. A “utility grade” solar energy system is one that is operated by a non-commercial operator for private use primarily to the principal structure located on the parcel.
- iv. “Private” or “Residential” means a property owner or occupant who applies for a solar energy system to provide energy primarily to the primary structure and accessory structures on the property in which it is located.

d. Solar Energy Systems – On-Site Use:

- i. **Roof-Mounted Solar Energy Systems:** Roof- and building-mounted solar energy systems for residential use are permitted accessory structures in all zoning districts, subject to the following regulations:
 - **Height:** Roof-mounted systems shall not extend more than four (4) feet above the roofline. Solar energy systems shall not protrude beyond the edge of the roof.
 - **Building Permit:** A building permit shall be required for installation of roof- and building mounted systems.
- ii. **Ground-Mounted Solar Energy Systems:** Ground mounted and freestanding solar energy systems for residential use are permitted accessory structures in all zoning districts, subject to the following regulations:
 - **Location and Setbacks:** Where feasible, ground mounted solar energy systems shall be located to the rear or the side-yard of the dwelling unit. Solar energy systems shall also meet the minimum setbacks of the zoning district.
 - **Height:** The height of the solar energy system and any mounts shall not exceed fifteen (15) feet when oriented at maximum tilt, measured from the natural grading of the property.
 - **Building Permit:** A building permit shall be required for any ground-mounted solar energy system.

- **Area:** Ground-mounted solar energy systems shall be subject to the maximum lot coverage standards of the zoning district. Such structures shall be subject to the limitations for accessory buildings.
- iii. **Batteries:** When solar storage batteries exceeding one (1) kWh per hour are included as part of the solar collector system, they must be placed in a secure container or enclosure when in use subject to Fire Chief approval, and when no longer used shall be disposed of in accordance with applicable laws and regulations.
 - iv. **Removal:** If a solar energy system ceases to perform its intended function (generating electricity) for more than twelve (12) consecutive months, the property owner shall remove the collectors, mounts, and associated equipment and facilities no later than ninety (90) days after the end of the twelve (12) month period. Where the removal has not been lawfully completed as required above, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the solar energy system or portion thereof, with the Township's actual cost and reasonable administrative charges to be placed as a lien on the property. A lien on the property shall be superior to all other liens except taxes.
- e. **REPEAL:** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.
 - f. **EFFECTIVE DATE:** This Ordinance shall become effective fifteen (15) days after its publication following final adoption or as required by law.

Larry Silsby, Supervisor

Tracy Ayres, Clerk

I, Tracy Ayres, Clerk of the Township of Aurelius, do hereby certify that the above is a true action taken by the Township Board of Trustees on the 12th day of October 2021.

Tracy Ayres, Clerk