

**ORDINANCE NO. 2023-1102**

**TOWNSHIP OF CHESANING**

**SAGINAW COUNTY, MICHIGAN**

**ADOPTED: November 2, 2023**

**PUBLICATION DATE: November 12, 2023**

**EFFECTIVE: November 13, 2023**

An ordinance of the Township of Chesaning, Saginaw County, Michigan, to amend the Chesaning Township Zoning Ordinance and the Chesaning Township Solar-Panel Farm Ordinance; to ratify and confirm the remainder of the Chesaning 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 CHESANING  
SAGINAW COUNTY, MICHIGAN ORDAINS:**

**SECTION I**  
**AMENDMENT TO CHESANING TOWNSHIP ZONING ORDINANCE AND CHESANING**  
**TOWNSHIP SOLAR-PANEL FARM ORDINANCE**

The Chesaning Township Zoning Ordinance (and all appendices thereto) and the Chesaning Township Solar-Panel Farm Ordinance (and all appendices thereto) are each hereby amended as follows:

• **SECTION A: 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. **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.
2. **Wind-Energy System.** An energy facility that includes an area of land principally used to convert wind energy to electricity, which includes, but is not limited to, all the

components and subsystems required to convert wind 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.

3. Renewable-Energy Systems. Renewable-Energy Systems (“RES”) includes but is not limited to Solar-Energy Systems, Wind-Energy Systems, and all such other similar uses and activities.
4. The Chesaning Township Zoning Ordinance and all subsequent Chesaning Township Ordinances shall heretofore and hereby use the following terminology:
  - a. Solar Farms, Solar power, and all Solar Energy of any kind or nature shall heretofore and hereby be known as ”SOLAR ENERGY SYSTEMS (“SES”).
  - b. Wind Farms, Wind power, and all Wind Energy of any kind or nature shall heretofore and hereby be known as ”WIND ENERGY SYSTEMS (“WES”).

- **SECTION B: LIMITATION OF AGGREGATION OF SOLAR-ENERGY SYSTEMS, WIND-ENERGY SYSTEMS, AND OTHER RENEWABLE ENERGY SYSTEMS VIS-À-VIS TOTAL AREA OF THE TOWNSHIP.**

1. The total aggregate amount of all Solar-Energy Systems (“SES”), Wind-Energy Systems (“WES”), and any other Renewable Energy Systems of any kind or nature 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. For the avoidance of doubt, the total aggregate amount of all Renewable Energy Systems in the Township (including but not limited to SES and WES) shall never be greater than the equivalent of 4% of the total acres in the Township.

**SECTION II**  
**RATIFICATION AND CONFIRMATION OF REMAINDER OF CHESANING TOWNSHIP**  
**ZONING ORDINANCE AND CHESANING TOWNSHIP SOLAR-PANEL FARM**  
**ORDINANCE**

Except as otherwise stated herein, the remainder of the Chesaning Township Zoning Ordinance and the Chesaning Township Solar-Panel Farm Ordinance are 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 Chesaning 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 Chesaning Township.

This Ordinance is hereby declared to have been adopted by the Chesaning Township Board of Trustees, County of Saginaw, State of Michigan, at a regular meeting held on the 2nd day of November, 2023 and ordered to be given publication in the manner prescribed by law.

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Joe Ruthig, Supervisor

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Julie Paulson, Clerk

Date of Publication: November 12, 2023

Newspaper: Tri County Citizen

CERTIFICATION

ADOPTED

YEAS: K. Carlton, W. Hedrich, K. Hornak, P. Hemgesberg, C. Gross, J. Paulson, J. Ruthig  
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NAYS: None  
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ABSENT: None  
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State of Michigan, County of Saginaw,

I the undersigned Township Clerk for the Township of Chesaning, Saginaw County, Michigan, certify that the above Ordinance No. 2023-1102, adopted by the Township Board of Trustees of the Township on the 2nd day of November 2023, 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: November 6, 2023

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Julie Paulson, Clerk