

**VILLAGE OF MILLINGTON
TUSCOLA COUNTY, MICHIGAN
WIND ENERGY ORDINANCE
ORDINANCE #86**

THE VILLAGE OF MILLINGTON ORDAINS:

Section 1 DEFINITIONS:

Anemometer – A temporary wind speed indicator constructed for the purpose of analyzing the potential of utilizing a wind energy system at a given site.

On Site Use Wind Energy System – A wind energy system that is intended to primarily serve the needs of the consumer. This system may be connected to the electric utility grid.

Roof Mounted Wind Energy System – A wind energy system that is intended to primarily serve the needs of the consumer and is installed on a building roof. This system may be connected to the electric utility grid.

Utility Grid Wind Energy System – A wind energy system that is designed and built primarily to provide electricity to the electric utility grid.

Wind Energy System – A system that converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades, and tower or roof mount pedestal.

Section 2 GENERAL REQUIREMENTS IN ALL ZONING DISTRICTS:

Utility grid wind energy system – Utility grid wind energy system is not a permitted use.

Anemometer – Installation of an anemometer is not a permitted use.

On site use and roof mounted wind energy system – On site use and roof mounted wind energy systems are a permitted use in R-1, R-2, R-3, R-4, C-1, C-2, IND and all overlay zones.

Noise – Sound pressure levels shall not exceed 50 dB(A) at the property line closest to the wind energy system.

Setback – The base of the tower shall be set back 1 times the height of the tower including the top of the blade in its vertical position from the nearest property line and to any overhead utility wire. In addition, no part of the wind energy system structure, including guy wire anchors, may extend closer than 10 feet to the nearest property line. In the case of a roof mounted wind energy system, the base of the pedestal mounted to the roof shall be set back 1-1/2 times the height of the pedestal and unit including the top of the blade in its vertical position from the nearest property line and to any overhead utility wire.

Codes and standards – Wind energy systems shall comply with all applicable construction and electrical codes and local building and zoning permit requirements. Wind Energy systems shall comply with Federal Aviation Administration requirements and the Michigan Tall Structures Zoning Act. On Site wind energy systems that are connected to the electric utility grid shall comply with Michigan Public Service Commission and utility interconnection requirements.

Safety – Wind energy systems shall have an automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding. All wind energy systems shall have lightning protection. If a tower is supported by guy wires, the wires shall be clearly visible to a height of at least six feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be 20 feet.

Wiring - All wiring between the tower and the building being serviced shall be located underground.

Section 3 RESIDENTIAL AND C-1 DISTRICTS:

A tower mounted on site use wind energy system may only be located in a rear yard.

A roof mounted on site wind energy system may not be located on the front side of the main residence roof.

Section 4 SPECIAL LAND USE:

A Special Land Use Permit shall be required for all zoning districts for an on site wind energy system with a height of more than 60 feet including the top of the blade in its vertical position.

Section 5 SEVERABILITY

This ordinance and the various articles, sections, paragraphs, and clauses thereof, are hereby declared to be severable. If any article, section, paragraph, or clause is adjudged unconstitutional or invalid, the remainder of the Ordinance shall not be affected thereby.

Section 6 EFFECTIVE DATE.

This ordinance shall become effective forty-five (45) days after its adoption.

Adopted by the Common Council of the Village of Millington March 14, 2011

VILLAGE OF MILLINGTON

BY: _____

ITS: VILLAGE PRESIDENT

ATTEST:

Rebecca Kochenderfer

VILLAGE CLERK

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 86, duly adopted by the Council of the village of Millington at a Regular meeting held on March 14, 2011 at 6:00 p.m. in the Council Chambers of the Municipal Building, Millington, Michigan, and that said Ordinance No. 86 was on the 18th day of March, 2011, published in the Millington Herald, a newspaper printed and circulated in the Village of Millington.

VILLAGE OF MILLINGTON

BY: Rebecca Kochenderfer

ITS: VILLAGE CLERK