

**VILLAGE OF MILLINGTON
ORDINANCE NO. 111**

An ordinance to amend the Code of Ordinances by adding a new Chapter 35 regulating electrical service capacity in the Village.

THE VILLAGE OF MILLINGTON ORDAINS:

Section 1. Amendment to Code of Ordinances.

The Village hereby amends the Code of Ordinances of the Village of Millington by adding thereto a new Chapter 35, entitled "Electrical Service," to read as follows:

Chapter 35 Electrical Service

Sec. 35-01 Findings of Fact.

The Village Council hereby finds that:

- a) No more than 200 amperes electrical service is necessary for nearly all residential applications;
- b) Except in extraordinary circumstances, electrical service in excess of 200 amperes is appropriate only for commercial or industrial applications or certain agricultural ones;
- c) Village approval for more than 200 amperes electrical service for residential structures or structures accessory to residential uses is necessary to protect the health, safety and welfare of Village residents.

Sec. 35-02. Electrical compliance Permit.

Persons must apply for and receive from the Village an electrical compliance permit when seeking to install electrical service of 200 amperes or more in any of the following circumstances:

- a) for any structure or accessory structure per parcel in the R-1 or R-3 zoning districts;
- b) for any structure used as a dwelling or dwelling unit per parcel in any zoning district.

Sec. 35-03. Standards for Permit Approval or Disapproval.

Following inspection of the structure to be served by such service, the Village President or his designee shall approve an application for an electrical compliance permit when the applicant demonstrates that the requested service is necessary for:

- a) all residential applications within that structure;
- b) applications on property that has qualified for an agricultural-products exemption under MCL 205-94(1)(f).

Sec.35-04. Disapproval; appeal.

Persons aggrieved by a decision of the Village President may appeal that decision to the Village Council no later than 14 days after receipt of the President's decision. The Village Council must overturn the President's decision upon a finding that his decision was:

- a) arbitrary or capricious;
- b) based on an erroneous finding of a material fact; or
- c) an abuse of discretion.

Sec. 35-05. Penalty

Any person who shall violate a provision of this ordinance shall be responsible for a municipal civil infraction subject to penalties.

Sec. 35-06. Effective date.

This Ordinance shall become effective thirty (30) days after publication.

At a regular meeting of the Village Council of the Village of Millington held on December 13, 2021 Bonadurer moved for adoption of the foregoing ordinance and Bassett supported that motion.

Voting for: Bassett, Beam, Bonadurer, Nesbitt, Reinert, Selich, Slough

Voting against: None

The president declared the ordinance adopted.

Kaylene Long
Village Clerk

Gailan Reinert
Village President

CERTIFICATION

The foregoing is a true copy of Ordinance No. 111 which was enacted by the Village Council at a regular meeting held on December 13, 2021.

Kaylene Long, Village Clerk