

TOWNSHIP OF WELLS

COUNTY OF TUSCOLA  
STATE OF MICHIGAN

ZONING ORDINANCE AMENDMENT  
ORDINANCE NO. 100-02.1

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_

**Solar Energy Systems Ordinance Amendment**

An ordinance to amend the Township of Wells Zoning Ordinance to allow for a waiver provision of certain standards contained in Zoning Ordinance 100-02, “Solar Energy Systems” to allow for the waiver of standards; to repeal conflicting provisions; and, to provide an effective date.

**SECTION I**  
**INTENT AND PURPOSE**

In light of Public Acts 233 and 234 of 2023 (renewable energy preemption legislation), which goes into effect on November 29, 2024, the intent and purpose is to allow for a waiver provision to authorize the Township Planning Commission to waive certain Development and Design Standards for Solar Energy Systems provided that such waiver is in the health, safety and general welfare of the Township.

**SECTION II**  
**INTENT AND PURPOSE**

This section amends Section 4 of the Wells Township “Solar Energy Systems” Zoning Ordinance No. 100-2, titled, “Requirements for Development and Design Standards” to add a new paragraph 13, titled “Waiver” to read as follows:

**13. Waiver.** Because of the ever-changing technical capabilities of photovoltaic solar panels and of new technology in general, the Planning Commission or Township Board may in its discretion consider alternatives in both the dimensional and physical requirements contained in this ordinance as part of the special land use review process upon a finding that such change promotes the health, safety and general welfare of the Township.

**SECTION III**  
**SEVERABILITY**

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

**SECTION IV**  
**REPEAL**

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

**SECTION V**  
**EFFECTIVE DATE AND CERTIFICATION**

The undersigned Supervisor and Clerk of the Township Of Wells hereby certify that this Ordinance Amendment is a true copy of the Amendment which was duly adopted by the Wells Township Board, at a meeting on the \_\_ day of \_\_\_\_\_, \_\_\_\_ and further certifies that a notice of adoption of this ordinance was duly published in the Tuscola County Advertiser on the \_\_ day of \_\_\_\_\_, \_\_\_\_\_, pursuant to the Michigan Zoning Enabling Act. This Ordinance shall be effective eight (8) days after said date of publication.

---

Karen Varney  
Wells Township Supervisor

---

Bonnie Hergenreder  
Wells Township Clerk