MACON TOWNSHIP
LENAWEE COUNTY

RESOLUTION TO IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS, LICENSES, OR APPROVALS FOR BATTERY ENERGY STORAGE FACILITIES

At a regular meeting of the Township Board for the Township of Macon, Lenawee County, Michigan, held on the 4 day of May, 2026, at 7:00 p.m.

PRESENT: Dean Montrief, Julia Marshall, Beth DeJonghe & Charley Downing

ABSENT: Joe Rine

The following preamble and resolution were offered by Julia Marshall and seconded by Charley Downing.

WHEREAS, the Michigan Zoning Enabling Act, 2006 P.A. 110, being MCL 125.3101 *et seq.*, authorizes Macon Township (the "Township") to adopt reasonable regulations to control the establishment and use of Battery Energy Storage Facilities in the Township; and

WHEREAS, "Battery Energy Storage Facilities," for purposes of this moratorium, means a system that absorbs, stores, and discharges electricity. It does not include either fossil fuel storage or power-to-gas storage that directly uses fossil fuel inputs; and

WHEREAS, the establishment of Battery Energy Storage Facilities, particularly in more rural areas, is a new and emerging land use that may have substantial and adverse impacts on adjacent and nearby properties; and

WHEREAS, according to various scientific and media reports, some of which are attached as **Exhibit A**, Battery Energy Storage Facilities carry a risk of fire that the Township's resources are not currently equipped to handle; and

WHEREAS, based on these reports, the Township Board finds that Battery Energy Storage Facilities pose a potential risk to the health, safety, and welfare of Township residents; and

WHEREAS, the Township finds that it is necessary and reasonable to establish a moratorium upon the issuance of any and all permits, licenses, and approvals for any property subject to or under the jurisdiction of the Township's Zoning Ordinance for the establishment and use of Battery Energy Storage Facilities for 12 months or until the Township adopts new regulations concerning Battery Energy Storage Facilities and such regulations take effect, whichever occurs first; and

WHEREAS, pursuant to Section 16.11 of the Zoning Ordinance the Township Board may impose temporary moratoria by resolution on the review or issuance of any and all applications, permits, rezonings, licenses, or approvals for special or other land uses in the Township if the Township Board desires to review, enact, or amend provisions of the master plan or zoning ordinance to regulate existing or emerging land uses that may impact the health, safety, or welfare of township residents or property; and

WHEREAS, the Township finds that adopting such a moratorium is in the best interest of the public health, safety, and welfare and that the Township desires to review, enact, or amend provisions of the master plan and/or the Township Zoning Ordinance in order to determine whether regulations are necessary for the use and development of Battery Energy Storage Facilities in the Township.

NOW, THEREFORE, the Township Board of Macon Township resolves as follows:

1. The Township Board hereby petitions the Township Planning Commission to continue its consideration of regulations regarding Battery Energy Storage Facilities, including

without limitation where such uses may be permissible and appropriate, regulations to mitigate adverse impacts on adjacent properties and uses, and thereafter make recommendations to the Township Board regarding any such proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

2. For purposes of this Resolution, "Battery Energy Storage Facilities" means a system that absorbs, stores, and discharges electricity. It does not include either fossil fuel storage or power-to-gas storage that directly uses fossil fuel inputs.

3. In accordance with Section 16.11 of the Zoning Ordinance, the Township Board finds that adopting such a moratorium is in the best interest of the public health, safety, and welfare and that the Township desires to review, enact, or amend provisions of the master plan and/or the Township Zoning Ordinance in order to determine whether regulations are necessary for the use and development of Battery Energy Storage Facilities in the Township.

4. Imposing a moratorium, on a limited temporary basis, is reasonable and necessary to allow time for review of and potential amendments to the Township's Zoning Ordinance and/or Master Plan.

5. A moratorium should be imposed upon the issuance of any and all permits, licenses, and approvals for any property subject to or under the jurisdiction of the Township's Zoning Ordinance for the establishment and use of Battery Energy Storage Facilities or until an amendment to the Township's Zoning Ordinance regarding Battery Energy Storage Facilities is effective, whichever occurs first.

6. A moratorium is hereby imposed on the review or issuance of any and all applications, permits, rezonings, licenses, or approvals in the Township for Battery Energy Storage Facilities, so long as this Resolution is in effect.

7. The moratorium imposed by this Resolution shall remain in effect for 12 months following the effective date of this Resolution, or until Battery Energy Storage Facilities regulatory amendments to the Township's Zoning Ordinance become effective, whichever occurs first. Before this moratorium expires, the Township Board may by resolution extend the moratorium for up to 6 months. If an extension is adopted, the Township will publish notice of the extension.

8. Any resolutions or parts of resolutions in conflict with this Resolution are hereby repealed only to the extent necessary to give this Resolution full force and effect.

9. This Resolution shall be published within 7 days of its adoption in accordance with Section 16.11 of the Zoning Ordinance and shall become effective immediately following publication.

A vote on the above Resolution was taken and was as follows:

ADOPTED:

YEAS: Dean Montrief, Julia Marshall, Beth DeJonghe, Charley Downing

NAYS: _____

Joe Rine, absent

STATE OF MICHIGAN)
) ss.
COUNTY OF LENAWEE)

I, the undersigned, the duly qualified and acting Township Clerk of Macon Township, Michigan, CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on the 4th day of May, 2026.

Julia DeJonghe Marshall

Julia DeJonghe Marshall, Township Clerk