

**TOWNSHIP OF IMLAY
ORDINANCE NO. 2021-003**

An ordinance to repeal Ordinance No. 2020-001 and adopt a new ordinance to regulate electrical service capacity within the Township and to provide penalties for the violation thereof.

THE TOWNSHIP OF IMLAY HEREBY ORDAINS:

Section 1. Findings of Fact.

The Township Board 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) Township approval for 200 amperes or more electrical service for residential structures or structures accessory to residential uses is necessary to protect the health, safety and welfare of Township residents.

Section 2. Electrical Compliance Permit.

- A. Persons must apply for and receive from the Township an electrical compliance permit when seeking to install electrical service of more than 200 amperes in any of the following circumstances:
 - (i) for any structure or accessory structure in the AG-R-1, RE or RM-1 zoning districts;
 - (ii) for any structure used as a dwelling or dwelling unit in any zoning district.
- B. An application for such service shall be on a form prepared by the Township and signed by the owner or occupant of the parcel to receive such service.

Section 3. Standards for Permit Approval or Disapproval.

- A. The Township or its designee shall approve an application for an electrical compliance permit or renewal of such permit when the following standards are met:

- A. The Township or its designee shall approve an application for an electrical compliance permit or renewal of such permit when the following standards are met:
- (i) when the applicant demonstrates that the requested service is necessary for all residential applications within the structure or structures receiving such service;
 - (ii) when the applicant demonstrates that the requested service is necessary for all applications on property that has qualified for an agricultural-products exemption under MCL 205.94(1)(f);
 - (iii) upon approval following inspection from the Township fire and/or electrical inspector.
- B. No more than one (1) application may be approved per parcel.

Section 4. Disapproval; appeal.

Persons aggrieved by a decision of the electrical inspector or Township Supervisor may appeal that decision to the Township Board no later than 14 days after receipt of the Supervisor's decision. The Township Board must overturn the Supervisor's decision upon a finding that his or her decision was:

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

Section 5. Penalty.

Any person who shall violate a provision of this ordinance shall be responsible for a municipal civil infraction subject to the penalties specified in Ordinance No. ____.

Section 6. Repealer.

The Township hereby repeals Ordinance No. 2020-001 in its entirety.


Section 7. Effective date.

This ordinance shall take effect thirty days after publication.

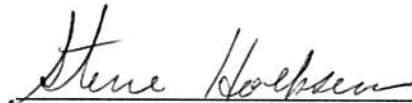
Voting for:

Voting against:

The supervisor declared the ordinance adopted.



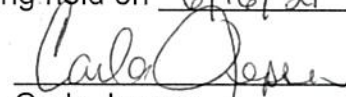
Carla Jepsen
Township Clerk



Steve Hoeksema
Township Supervisor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2021-003 which was enacted by the Imlay Township Board of Trustees at a regular meeting held on 6/16/21, 2021.



Carla Jepsen
Township Clerk