

**TOWNSHIP OF OREGON
ELECTRICAL SERVICE IN EXCESS OF 200 AMPERES ORDINANCE
ORDINANCE NO. 9600**

An Ordinance to regulate electrical service capacity within the Township and to provide penalties for the violation thereof.

THE TOWNSHIP OF OREGON HEREBY ORDAINS:

Section 1. Findings of Fact

The Township Board hereby finds that:

- a. 200 amperes electrical service is adequate power 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 applications; and,
- c. Township approval for electrical service in excess of 200 amperes 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

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:

- a. On any property that contains a structure that is intended to be used as a dwelling;
- b. On any property upon which a dwelling could be built under state law and local ordinance.

It shall be a violation of this Ordinance to install electrical service of more than 200 amperes on property that this Section 2 indicates requires an electrical compliance permit without first obtaining an electrical compliance permit as set forth in this Ordinance.

Section 3. Application for Electrical Compliance Permit

Anyone seeking an electrical compliance permit from the Township must fill out an application created by the Township which shall contain at least the following information:

- a. Identify the property or properties to be served by the electrical service in excess of 200 amperes by street address, tax identification number and legal description.
- b. A certification that the proposed use of the property complies with state law and local ordinances.
- c. Identify with specificity the purpose for which the electrical service on the property will be used, including but not limited to:

1. The types of agricultural products, if any, that will be grown or produced on the property;
 2. The building(s) that will receive electrical service and for each such building:
 - A. The purpose for which the building will be used;
 - B. The size of the building, including how many square feet of the building will be used for any given purpose;
 3. Identifying what the electrical service will be used to power, including but not limited to a list of all equipment that will be powered by such electrical service.
- d. An acknowledgement that misrepresenting the use of the electricity in excess of 200 amperes on the Application is grounds for denial of an electrical compliance permit and/or revocation of a previously granted electrical compliance permit.
 - e. Identify the licensed electrician that will be installing the electrical service on the property.
 - f. Any additional information that the Township Supervisor or the Township's designee believes to be necessary to demonstrate that the proposed electrical usage is necessary to serve the following: (1) residential uses consistent with state law and local ordinances; or, (2) uses qualifying for an agricultural products exemption as defined by MCL 205.94(1)(f).
 - g. An application fee at an amount set by the Township Board to cover administrative costs.

Section 4. Standards for Permit Approval or Disapproval

Following inspection of the structure to be served by the proposed electrical service in excess of 200 amperes, the Township Supervisor or an individual designated by the Township shall approve an application for an electrical compliance permit when the applicant demonstrates that the requested service is necessary for one or more of the following:

- a. All residential applications within that structure;
- b. Applications on property that have qualified for an agricultural-products exemption under MCL 205.94(1)(f); or,
- c. A use to be performed on the property that is in conformance with all applicable state law and local ordinances.

If the Township Supervisor, or the individual designated by the Township determines that the application did not contain all information required by this Ordinance or if the Township Supervisor or designated individual determines that the applicant has not demonstrated that the requested service is necessary for one of the reasons set forth in this Section 4, then the Township Supervisor or the individual designated by the Township shall deny the application for an electrical compliance permit.

Section 5. Disapproval; appeal

Persons aggrieved by a decision of the Township Supervisor, or the Township's designee, may appeal that decision to the Township Board no later than fourteen (14) days after the Supervisor or the Township's designee gives the decision to the person aggrieved. The Township Supervisor or the Township's designee shall either give the decision to the applicant in person or send the decision via regular mail. The Township Board shall overturn the appealed decision upon a finding that the decision was:

- a. Arbitrary or capricious;
- b. Based on an erroneous finding of a material fact; or,
- c. An abuse of discretion.

Section 6. Penalty

a. Enforcement

Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor punishable by fines not to exceed five hundred dollars (\$500.00) and/or imprisonment for not more than ninety (90) days. The Township may institute an action for injunction, mandamus, abatement or any other appropriate action or actions, proceedings to prevent, enjoin, abate or remove any violation of this Ordinance provided by this Ordinance and the person or entity violating the Ordinance shall be responsible to pay for the attorney fees, expert fees and other costs and expenses incurred by the Township in such enforcement action. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by this Ordinance.

b. Enforcement by Appearance Tickets or Court Action

Any police officers, police agencies or sheriff's deputies which provide police protection for the Township shall be authorized to issue appearance tickets for violations of this Ordinance. Upon authorization by the Township Board, the Township attorney may also initiate enforcement action by civil action or other enforcement measures authorized by Township ordinance.


Section 7. Effective Date

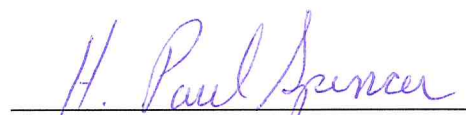
This Ordinance was adopted by the Oregon Township Board at a meeting duly held on the 13th day of April, 2021 and was published in the Lapeer County Press on the 18th day of April, 2021. This Ordinance shall take effect thirty (30) days after publication.

Voting in favor of Ordinance: Jill K. Bristow, H. Paul Spencer, Cheryl Rhein-O'Neill, and Wayne Barber

Voting against Ordinance: None

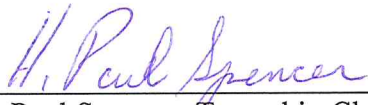
The Supervisor declared the Ordinance adopted.


Jill K. Bristow, Township Supervisor


H. Paul Spencer, Township Clerk

Certification

The foregoing is a true copy of Ordinance No. 9600 which was enacted by the Oregon Township Board at a regular meeting held on April 13, 2021 per **Motion 145-21**.



H. Paul Spencer, Township Clerk