

**ORDINANCE NO. 2022 - 11 - 2 - 1**  
**TOWN OF HOLLAND**  
**BROWN COUNTY, WISCONSIN**

**AN ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM ON  
DEVELOPMENT AND CONSTRUCTION OF LARGE SOLAR ENERGY SYSTEMS IN  
THE TOWN OF HOLLAND**

RECITALS

1. A “solar energy system” is an electricity generating facility consisting of one or more arrays of solar energy collection cells, panels, mirrors or lenses under common ownership or operating control, and includes, necessary structures, braces, plumbing, substations, cables/wires, electrical transformers, transformer pads, and other buildings accessory to such facility, whose main purpose is to supply electricity to off-site customer(s).
2. There is an interest in establishing solar energy systems in the Town of Holland.
3. There exist potential health, safety, and environmental issues related to the construction of large solar energy systems including, but not limited to, electrical connections, electric and magnetic fields, structure failure, and chemical exposure.
4. The Town currently has no ordinance providing guidance and regulation on the siting, development and construction of solar energy systems but Town residents have informed the Town Board at public hearings that the lack of an ordinance creates concerns regarding the protection the public health and safety.
5. Given the irreparable and unknown harm that may be caused by operation of large solar energy systems, the Town Board finds that immediate action is warranted.

6. The Town Board wishes to impose a moratorium for only such time as is prudent and necessary to allow the Town to complete this study.
7. The Town Board has been authorized under Wis. Stat. ' 60.10(2)(c) to exercise powers conferred on Village Boards, and also has the authority to adopt zoning regulations under Wis. Stat. ' 60.61 and 60.62 and 61.35.
8. The Town is beginning the process of creating and adopting an ordinance that will provide a review and permitting process and ensure the health and safety standards for large solar energy systems. This review may include, but is not limited to, retaining experts in the fields of engineering, law, real estate, public health and environmental protection.
9. On September 14, 2022, the Town Plan Commission conducted a public meeting was conducted and the potential for such moratorium was considered to allow for a process in which the Town could use to develop a large solar energy system ordinance and the Town Plan Commission did unanimously recommend passing a moratorium on the construction of said facilities be placed for one year so that the Town can study the health and safety issues and develop an appropriate ordinance regulating solar energy systems
10. The Town Board considered the Town Plan Commission's recommendation regarding the process that should be followed to create such an ordinance and determined that the adoption of a temporary stay or moratorium will promote public health and safety of the people in the Town.

NOW THEREFORE, based on the above recitals and pursuant to Article XI, Section 1 of

the Wisconsin Constitution, Sections 60.22(3), 61.34, 60.61 and 60.62 of the Wisconsin Statutes, and any and all other sources of authority that authorize the adoption of this ordinance, the Town Board of the Town of Holland, Brown County, Wisconsin, does hereby ordain as follows:

*SECTION 1. Title and Purpose*

The Town hereby establishes the Temporary Solar Energy System Moratorium Ordinance to stay the development and construction of large solar energy systems in the Town to allow for the study and creation of an ordinance to provide guidance and regulation in the development of such facilities. During the temporary stay provided by this ordinance it shall be unlawful to install or construct any large solar energy system or part thereof, and the Town shall not accept or process any applications relating to the proposed construction of any large wind energy system.

*SECTION 2. Duration.*

The stay under the moratorium shall continue for twelve (12) months from the adoption date of this ordinance or the adoption of an ordinance regulating solar energy systems. The stay may be continued for an additional six (6) months by resolution of the Town Board but shall not continue for any later than eighteen (18) months from the adoption date of this ordinance.

*SECTION 3. Inconsistent Ordinances Voided.*

All ordinances or provisions of ordinances inconsistent with or contravening the provisions of this Ordinance are hereby temporarily voided and shall have no legal force or effect during the period that this Ordinance is in effect.

*SECTION 4. Scope.*

The temporary stay provided by this Ordinance shall apply throughout the Town.

*SECTION 5. Severability.*

If any section or part of this Ordinance is adjudged to be unconstitutional, unlawful, or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

*SECTION 6. Effective Date.*

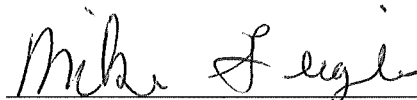
This Ordinance shall become effective upon adoption and publication or posting, as provided by law.

The above and foregoing Ordinance was duly adopted by the Town Board of the Town of Holland at a meeting held on 11/2/2022 by a vote of 3 in favor, 0 opposed and 0 absent/abstaining.

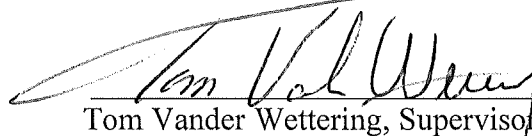
**TOWN OF HOLLAND:**



Mike Smits, Chairman



Mike Geiger, Supervisor



Tom Vander Wettering, Supervisor

ATTEST:

Wm Clancy  
William Clancy, Town Clerk

[Seal]

I, William Clancy, clerk of the Town of Holland, Brow County, Wisconsin, certify that the foregoing is a true, correct and complete copy of the Temporary Solar Energy System Moratorium Ordinance the Town of Holland, Brown County, Wisconsin adopted by the Town Board of the Town of Holland on the above date.

Wm Clancy  
William Clancy, Clerk

Approved: 3-0  
Posted: \_\_\_\_\_  
Published: \_\_\_\_\_