

SALEM TOWNSHIP
COUNTY OF OLMSTED
STATE OF MINNESOTA

ORDINANCE NO. 2020-10
AN INTERIM ORDINANCE ENACTING A MORATORIUM ON THE ESTABLISHMENT OR EXPANSION
SOLAR ENERGY FARMS WITHIN SALEM TOWNSHIP

THE TOWN BOARD OF SALEM TOWNSHIP ORDAINS AS FOLLOWS:

Section 1. Definitions:

1. Solar energy farm: A group of interconnected solar collection systems connected to a public or private utility system through a system of transformers and distribution lines which may include a substation. Operation, control, and maintenance functions are often centralized through a network of computerized monitoring systems, supplemented by visual inspection. This definition does not apply to solar collection systems that are constructed to serve an individual residence, commercial or industrial property not involved with electric power production. Office, maintenance facilities and equipment storage are not considered part of a solar energy farm.
2. Solar collection system: A panel, array of panels or other solar energy device the primary purpose of which is to provide for the collection, inversion, storage and distribution of solar energy for electricity generation, space heating, space cooling or water heating. These systems can include photovoltaic devices, concentrating solar power devices and other systems for the collection of solar energy. Such systems may provide power primarily to the principal use on a property and considered accessory to the principal use, or the facility may be the principal use of a property.

Section 2. Intent. It is the intent of this Interim Ordinance to allow Salem Township to study, review and determine what changes, if any may be required in the regulation of solar energy and to make appropriate changes in the same in order to protect the value of properties within Salem Township, to insure proper land use controls, and to facilitate compatibility between such property and the surrounding property.

Section 3. Authority and Purpose. The Township Board is empowered by Minn. Stat. 462.355, Subd. 4 to pass an interim ordinance, applicable to all or a portion of its jurisdiction, for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

Section 4. Temporary Prohibition. For one year after the effective date of this ordinance, or until such earlier time as the Salem Township Board determines by resolution that the reasons for the moratorium no longer exist, no solar energy farms shall be established or expanded within Salem

Township, nor shall any applications for the establishment or expansion of a solar energy farm be accepted or processed by the Township or by the TCPA on the Township's behalf.

Section 5. Misdemeanor. Any person, persons, firm or corporation violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished pursuant to Minn. Stat. 609.02, Subd. 3, or as subsequently amended, plus costs of prosecution.

Section 6. Injunctive Relief. In the event of a violation of this ordinance, the Township may institute appropriate actions or proceedings, including requesting injunctive relief to prevent, restrain, correct, or abate such violations.

Section 7. Separability. It is hereby declared to be the intention that the several provisions of this ordinance are separable in accordance with the following: if any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

Section 8. Effective Date. This ordinance shall take effect from and after its passage, and shall remain in effect until one year after the effective date, unless a shorter period of time is approved by proper resolution of the Salem Township Board.

PASSED by the Township Board of the Salem Township this 12th day of November 2020.



Drew Moessner, Chair

Attest:



Sharon Petersen, Clerk

