TOWN OF MOSEL, SHEBOYGAN COUNTY, WISCONSIN

ORDINANCE NO. 2014-1

AN ORDINANCE REPEALING AND RECREATING CHAPTER 13
OF THE TOWN OF MOSEL MUNICIPAL CODE REGARDING WIND ENERGY SYSTEMS

WHEREAS, pursuant to Wis. Stat. §§ 60.10(2), 60.22(3), 61.34, and 66.0401, the Town of Mosel Board of Supervisors has authority to enact regulations for the installation or use of a wind energy system that are no more restrictive than the regulations established by the Wisconsin Public Service Commission (PSC) under the authority of Wis. Stat. § 196.378; and

WHEREAS, the PSC established rules for wind energy systems in Wisconsin Administration Code PSC Chapter 128; and

WHEREAS, on October 1, 2013, the Town Planning & Zoning Commission reviewed this proposed ordinance and recommended its approval; and

WHEREAS, the Town Board has determined that the regulations set forth herein serve to preserve and protect the public health or safety, and do not significantly increase the cost of wind energy systems or decrease their efficiency in accordance with Wis. Stat. § 66.0401(1m).

NOW, THEREFORE, the Board of Supervisors of the Town of Mosel does hereby ordain as follows:

Section 1. **Repealing and Recreating Code**. Chapter 13 of the Municipal Code of the Town of Mosel entitled "Wind Energy Facilities" is repealed and recreated in its entirety to read as set forth on the attached pages.

Section 2**. Severability**. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3**. Effective Date**. This Ordinance shall take effect the day after publication or posting.

Enacted on January 14, 2014.

TOWN OF MOSEL

By: _____
    Dirk J. Zylman, Chairperson

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Board of Supervisors of the Town of Mosel on the date indicated above.

By:_____
    Rachel Rehbein, Clerk/Treasurer

Published/Posted on _____, 2014 by _____.