

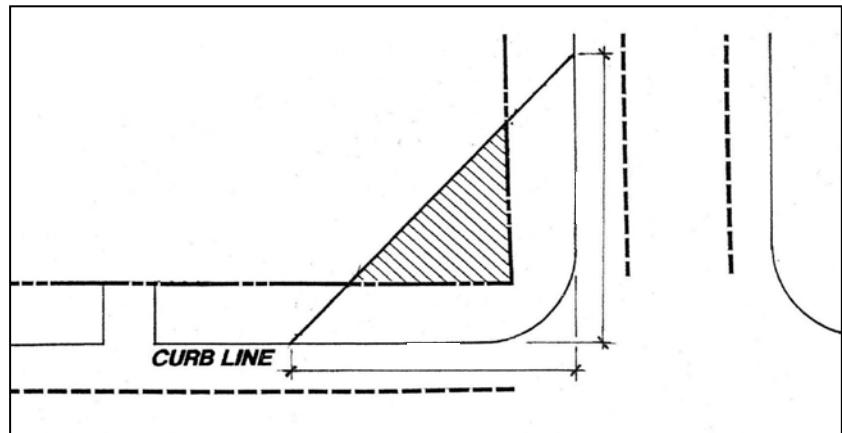
# ARTICLE 8

## GENERAL PROVISIONS

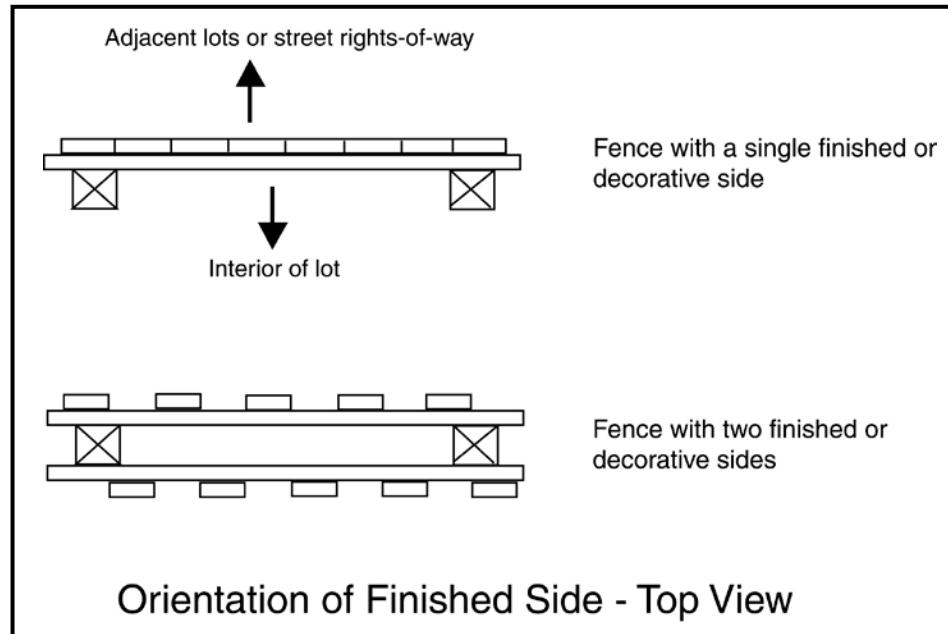
### Section 8.101 Fences.

#### A. General requirements.

1. **Construction and maintenance.** Fences shall be securely constructed in conformance with this Ordinance and all applicable building codes, and shall consist of materials that are found by the Zoning Administrator to be durable and weather-resistant. Masonry piers may be used as part of a fence installation with the approval of the Zoning Administrator. Fences shall be maintained in good order, painted, rust-proofed or otherwise protected against damage and decay so as to present an orderly appearance.
2. **Permits Required.** Permits shall be required prior to construction, alteration, or relocation of a fence, as provided in Section 8.101(C). Fences erected in the Agricultural (A) district for the purpose of enclosing or protecting animals or associated with a bona fide animal or agricultural use are exempt from permitting requirements. (Amended 2008)
3. **Clear Vision Area.** No fence or wall shall be erected or placed on any lot which will obstruct the vision of a driver of a vehicle approaching an intersection with the exception of fences and walls not exceeding three feet in height above the curb level. In the case of corner lots, this shall mean that there shall be provided an unobstructed triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the pavement edge lines or in the case of a rounded corner, from the intersection of the street property lines extended. At driveways, the lines forming the triangle are reduced to 15 feet. (Amended 2008)



4. **Orientation.** Where a fence has a single finished or decorative side, it shall be oriented to face outward towards adjacent parcels or street rights-of-way. No portion of a fence visible from the street right-of-way or adjacent property shall be unfinished. All fence structural members or framing, where visible, shall be directed inward toward the interior of the lot to which the fence is associated. (Amended 2008)



5. **Appearance.** All fences on a property shall be uniform or coordinated in material and color. Fences shall be constructed of low-reflecting and neutral-colored material and shall be compatible with the primary building and nearby properties. “Neutral-colors” shall be defined as those colors that do not attract attention or detract from the appearance of the community. (Amended 2008)

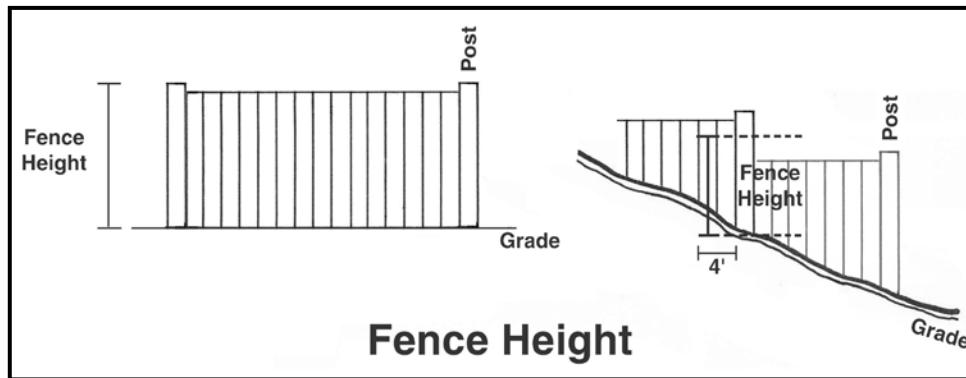
6. **Site drainage and utilities.** Fences shall not be erected in a manner that obstructs the free flow of surface water or causes damage to underground utilities.

7. **Height and location requirements.**

TYPE OF FENCE OR WALL	MAXIMUM HEIGHT (FEET)			MINIMUM FRONT YARD SETBACK (FEET)
	FRONT	SIDE	REAR	
Chain-link fence	4'	6'	6'	5'
Living fence	no maximum			5'
Ornamental fence	4'	6'	6'	5'
Privacy fence		6'	6'	
Rail fence	3'	5'	5'	5'
Industrial fence		8'	8'	20'
Agricultural fence				

(Amended 2008)

a. **Height.** Fence height shall be measured from the grade level to the highest point of the fence. Where the grade is not level, the maximum fence height shall be equal to the average fence height within four feet (4') of any fence-post.



b. **Setbacks.** All required setbacks for fences shall be measured from the property line or street right-of-way line to the nearest part of the fence.

c. **Location.** Fences located within required side and rear yards may be erected on the property line with the written consent of all adjacent property owners and the approval of the Zoning Administrator. Permits shall not be processed until this consent is submitted, if necessary.

If the approval of the adjacent property owner is not obtained or such fence is not located on the lot line, the setback of all fences located within the side and rear yards shall be three feet (3') from the lot line. (Amended 2008)

**B. Prohibited fences and walls.** The following fences and walls are prohibited in the Township:

1. **Barbed-wire.** Barbed-wire, razor-wire or electrified fences, except where, such fences are associated with an ANIMAL OR AGRICULTURAL USE, as defined in Article 4 (Land Use Tables). The Zoning Administrator or Planning Commission may approve such fences associated with a COMMERCIAL USE or INDUSTRIAL, RESEARCH, OR LABORATORY USE, as defined in Article 4 (Land Use Tables) if such barbed wire (or similar material) is more than six feet above grade and required for the purpose of ensuring public safety. (Amended 2008).
2. **Wire fences.** Wire fences, except where such fences are associated with an ANIMAL OR AGRICULTURAL USE, as defined in Article 4 (Land Use Tables).
3. **Illegal fences.** Any fence unlawfully installed, erected or maintained.
4. **Waterfront Fences.** Fences shall not be permitted within the waterfront yard.
5. **Privacy Fences.** Privacy fences shall not be permitted within the front yard.  
(Ord. 03-05, 08/2/05)

**C. Permits.** A permit shall be required for all work performed in association with the construction, alteration or relocation of a fence, except where otherwise specified herein.

1. **Exempt work.** A permit shall not be required for the following activities:
  - a. **Agricultural fence:** Fences erected in the Agriculture (A) District for the purpose of enclosing or protecting animals or associated with a bone fide animal or agricultural use are exempt from fence permitting requirements.
  - b. **Repairs:** Repairs to an existing fence with no structural changes.
  - c. **Installation of gates or short lengths of new fence.** The installation of gates or up to eight feet (8') of new fence, provided that such work is in compliance with the provisions of this Ordinance and all applicable building codes, as enforced by Branch County.
  - d. **Living fences.** Planting of continuous hedgerows or similar landscape features.
2. **Application.** The following information shall be provided with any permit application for a fence:
  - a. **Sketch plan and construction drawings.** A sketch plan (Section 17.10), and a lot survey shall be provided that includes the location of all existing and proposed fences, structures, easements and setback dimensions. An elevation sketch or photograph of the proposed fence shall also be provided, with appropriate dimensions noted.
  - b. Written consent of all adjacent property owners if a fence or wall is proposed to be installed on a lot line.

D. **Removal of illegal or damaged fences.** Damaged or illegal fences shall be immediately repaired or removed by the property owner. Upon identification of a damaged or illegal fence, the Zoning Administrator shall order the property owner to remove such fences or make necessary repairs within ten (10) days. Upon failure of the property owner to take such actions within ten (10) days, the Township may act to remove such fences at the expense of the property owner. The Township may then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

## Section 8.102 Sidewalks and Pedestrian Facilities.

The Planning commission may require sidewalks as a condition of site plan or sketch plan approval where deemed necessary to facilitate safe pedestrian and non-motorized travel. Sidewalks shall be subject to the following regulations:

- A. **Location and Width.** Required sidewalks shall be five (5) feet in width and shall be located one (1) foot off the property line in the road right-of-way, except where the planned right-of-way is greater in width than the existing right-of-way, in which case the sidewalk shall be located one (1) foot inside the planned right-of-way. The Planning Commission may modify this requirement in consideration of the location of utilities, existing landscaping, or other site improvements.
- B. **Design Standards.** Sidewalks shall be constructed of concrete in accordance with established engineering standards for the Township.
- C. **Alignment with Adjacent Sidewalks.** Sidewalks shall be aligned horizontally and vertically with existing sidewalks on adjacent properties. The Planning Commission may modify this

requirement if existing adjacent sidewalks are not constructed in conformance with the standards set forth herein.

- D. **Signage.** The Planning Commission may require installation of signage for the purposes of safety where it is necessary to separate vehicular traffic from pedestrian and bicycle traffic, or where it is necessary to alert vehicular traffic of the presence of the sidewalks.
- E. **Maintenance.** The owner of the property which fronts on the sidewalk shall be responsible for maintenance of the sidewalk, including patching cracked or deteriorated pavement, snow removal, and removal of glass and other debris. The property owner shall be liable for damages in the event that a person is injured while using a sidewalk that said property owner has not properly maintained.
- F. **Permits.** It shall be the responsibility of the owner or developer to secure any required permits from the Branch County Road Commission or Michigan Department of Transportation to allow sidewalk construction in the road right-of-way.

### **Section 8.103        Maintenance of Commonly-Owned Private Facilities.**

The purpose of this Section is to insure the quality, construction, maintenance and replacement of commonly owned private facilities and land whether improved or unimproved. These facilities include, but are not limited to detention ponds, retention basins, lighting, open space, wetlands, signs, landscaping, fences, screening walls, drains, trails and sidewalks to which more than two (2) owners of lots or condominiums have rights of use or access or enjoyment; or which are owned in common by an association of owners. Failure by owners or an association to maintain commonly-owned private facilities shall be considered a threat to the public health, safety or welfare. The Zoning Administrator shall have the authority to undertake any of the following actions to remedy the violation:

- A. Actions necessary to eliminate the threat to public health, safety or welfare; and assessment of the benefited owners in an equitable fashion for the costs of such actions, including maintenance, or replacement, administrative and engineering costs.
- B. Request appointment of a trustee, by an appropriate court, to administer the affairs of the owners as related to the commonly-owned private facilities, with such costs to be assessed to the owners as noted above.
- C. Obtain an order from an appropriate court enforcing the owners' or association's covenants or responsibilities.

### **Section 8.104        Protection of Woodlands.**

The standards of this Section are intended to promote the preservation of important woodlands and large mature trees which contribute to the character, welfare and quality of life in the Township, and to prevent the unnecessary removal of woodlands prior to, during and following construction on a site:

- A. Any property owner or his representative proposing to clear more than twenty-five percent (25%) of the trees of eight caliper-inches (8") or greater in diameter on a site shall first notify the Township, and shall submit a sketch plan describing the sites features for review and approval by the Planning Commission.

B. This Section shall not prevent tree clearing for approved building envelopes, or in accordance with an approved site plan. The Planning Commission may grant an exception from the caliper standard for select clearing of lower quality species including box elders, elms, poplars, willows and cottonwoods.

### **Section 8.105      Grading, Removal and Filling of Land.**

Any excavation, filling or grading of land that would alter the established site elevations or drainage patterns, or the use of land for the excavation, removal, filling or depositing of any type of earth material, topsoil, gravel, rock, garbage, rubbish or other wastes or by-products, shall not be permitted in any zoning district except in accordance with an approved site plan. This regulation does not apply to normal soil removal for basement or foundation work when a building permit has been issued by the County.

### **Section 8.106      Excavations and Holes.**

Excavations and holes created in conjunction with a construction project shall be adequately barricaded and illuminated if not filled in at the end of the working day. Where such excavations or holes are located in a public right-of-way, it shall be the responsibility of the contractor to notify the Branch County Sheriff of their existence.

### **Section 8.107      Performance Standards.**

It shall be unlawful to perform or permit any activity, operation or use of land, structure, or equipment that produces irritants to human sensory perceptions greater than the levels established in this Section as the maximum permissible hazards to humans or human activities. Such measures may be supplemented as necessary by other recognized levels that have been established as the maximum permissible hazards to humans or to human activity.

A. **Sound.** Objectionable noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses. The intensity level of sounds shall not exceed the following decibel levels, as measured by a type of audio output meter approved by the U.S. Bureau of Standards at any property line or street right-of-way adjacent to the following types of uses, as defined in Article 4 (Land Use Tables):

ADJACENT USE	DECIBELS
Animal and Agricultural	80dB
Residential	55dB
Office and Service	55dB
Community	55dB
Commercial	65dB
Industrial	70dB

1. **Exceptions.** The provisions in this Section shall not apply to the emission of sound for emergency purposes or to the emission of sound for agriculture or animal uses if certified as using Generally Accepted Agricultural Management Practices (GAAMPS) by the Michigan Department of Agriculture.

- B. **Vibration.** All machinery shall be mounted and operated so as to prevent transmission of ground vibration. Operation of any device that creates vibration above the vibration perception threshold of a person at any adjacent property or street right-of-way line shall be prohibited (vibration perception threshold is the minimum ground or structure-borne motion necessary to cause a normal person to be aware of the vibration by sensation, touch or visual observation of moving objects).
- C. **Odor.** The emission into the atmosphere of offensive, noxious or foul odors or odorous matter in such concentrations that would be readily detectable at any adjacent property or street right-of-way line, or that would create a public nuisance or hazard to adjoining properties or human, plant, or animal life is prohibited.
- D. **Gases.** The escape of or emission of any gas which is injurious, destructive to life or property or explosive is prohibited. Gaseous emissions shall be subject to applicable state or federal regulations, and shall not exceed levels indicated in the National Ambient Air Quality Standards, as measured at any adjacent property or street right-of-way line, unless a higher standard is imposed by a federal, state or county agency with jurisdiction.
- E. **Glare and heat.** Any operation or activity which produces intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along any adjacent property or street right-of-way line, and such operations or activities shall be adequately insulated so that the ambient temperature as measured at any adjacent property or street right-of-way line is not higher than the average ambient temperature as measured at three (3) other locations in the Township.
- F. **Electromagnetic radiation.** Applicable rules and regulations of the Federal Communications Commission in regard to propagation of electromagnetic radiation are hereby made a part of this Ordinance. Electronic equipment shall be designed and used in accordance with applicable FCC rules and regulations to prevent interference with the use of other electronic equipment in the Township.
- G. **Smoke, soot, dirt and fly ash.** It shall be unlawful to discharge into the atmosphere from any single source of emission whatsoever any air contaminator for a period or periods aggregating more than four (4) minutes in any one-half (0.5) hour which is:
  - 1. Of such opacity as to obscure an observer's view, except when the emission consists only of water vapor.
  - 2. The quantity of gas-borne or air-borne solids shall not exceed two-tenths (0.2) grains per cubic foot of the carrying medium at a temperature of five hundred (500) degrees Fahrenheit.Smoke, soot, dirt and fly ash shall be subject to applicable state or federal regulations. No person, firm or corporation shall operate or maintain any process or combustion device, unless such processes or devices are equipped with functional and approved equipment or methods to reduce the quantity of gas-borne or airborne solids or fumes emitted into the open air.
- H. **Drifted and blown material.** The drifting or air-borne transmission of wind-blown dust, particles or debris from any open stockpile beyond any property or street right-of-way line is prohibited. Emission of particulate matter from materials, products or surfaces subject to wind erosion shall be controlled by paving, covering, fencing or other means.

- I. **Fire and safety hazards.** The storage and handling of flammable liquids, liquefied petroleum gases, and explosives shall comply with all applicable state, county and local regulations, including the state Fire Prevention Code (P.A. 207 of 1941, as amended). Above-ground storage tanks for flammable liquid materials shall be located at least one hundred and fifty feet (150') from all property and street right-of-way lines, and shall be completely surrounded by earth embankments, dikes, or another type of approved retaining wall capable of containing the total capacity of all tanks so enclosed. These provisions shall not apply to approved tanks which hold propane or other fuel used for heating a building on the site.
- J. **Sewage wastes and water pollution.** Sewage disposal and potential water pollution sources shall be subject to the standards and regulations established by federal, state or county agencies, including the State of Michigan, the Branch County Health Department and the U. S. Environmental Protection Agency.
- K. **Radioactive materials.** Radioactive materials, wastes and emissions shall not exceed levels established by federal or state agencies that have jurisdiction. No operation shall be permitted that causes any individual at or beyond any adjacent property or right-of-way lines to be exposed to any radiation exceeding the lowest concentration permitted for the general population by applicable federal or state laws or regulations.

### **Section 8.108      Property Maintenance.**

Each property owner shall be responsible for keeping their lot and buildings clean and free of any accumulation or infestation of dirt, filth, rubbish, garbage, vermin or other matter. Any hazardous places on a lot shall be fenced and secured.

### **Section 8.109      Property Between Lot Line and Street Edge.**

The area between the lot line or sidewalk and the edge of a street shall be maintained with grass or other suitable groundcover. Property owners shall be responsible for the condition, cleanliness and maintenance of the areas within the right-of-way in front of their lot between their lot lines and the adjoining street edge of pavement.

### **Section 8.110      Voting Place.**

The provisions of this Ordinance shall not be construed to interfere with the temporary use of any property as a voting place in connection with a Township, school or other public election.

### **Section 8.111      Essential Public Services and Required Utilities.**

Essential services buildings and structures shall be permitted as authorized under any franchise in effect within the Township. Such essential services shall be subject to State laws, Township ordinances and regulations in addition to being consistent with the list of uses permitted in each zoning district. It is the intent of this Section to ensure conformity of all buildings, structures, uses and storage yards to the requirements of this Ordinance wherever such conformity shall be practicable and not in conflict with the specific requirements of such franchise, state legislation or Township Ordinance. In the absence of such conflict, this Ordinance shall prevail.

### **Section 8.112      Water Supply and Sanitary Sewers.**

Where public sewer or public water service is available, all principal buildings shall be connected to such systems at the time of construction or alteration.

## SECTION 8.113 Wind Energy Conversion Systems (WECS)

A. **Purpose.** The regulation of Wind Energy Conversion Systems (WECS), including the height, minimum lot area, and required setbacks for such systems, is intended to provide for an alternative source of power generation while protecting the health, safety, and welfare of Township residents. The system, its construction, and its operation shall comply with all applicable local, state, and federal regulations.

B. **Definition.** WECS: A system which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades, and tower as well as related equipment.

1. A "small turbine/on-site" system is intended to primarily serve the needs of the customer on the site which the system is located, with a single tower that may or may not be connected to the utility grid.
2. A "large turbine/utility grid system" is designed to generate electricity from one or more towers (within an array) and is intended to serve institutions, residential communities, or larger cooperative organizations.
3. A "Met tower" is a tower used at a potential WECS site with equipment attached to it designed to measure the wind speed and other weather conditions at various heights proposed for potential wind turbines.

C. **Special exception use.** Due to the concerns related to health, safety, and welfare and the increased potential for impacts on adjacent properties, such both the WECS and the Met tower shall be regulated as special exception uses within all zoning districts, provided the land area is sufficient to support their development and operation (see subsection D.2 below). The following requirements shall be met and the Planning Commission may impose additional conditions where appropriate:

1. In addition to the requirements for Special Exceptions (Article 16) and Site Plan Review (Article 17), the application for the WECS and/or a Met tower shall include the following additional information:
  - a. the location of overhead electrical transmission or distribution lines, whether utilized or not
  - b. the location of the WECS with its specific dimensions, including the entire area through which the rotor(s) may rotate and/or the location of the Met tower with its specific dimensions
  - c. the location of any guy wires, other support devices, or accessory structures or facilities
  - d. the location of all structures and land uses (including dwelling units) within 500 feet of the WECS and/or Met tower
  - e. proof of the applicant's public liability insurance for the project
  - f. the name, address, and telephone number of the owner(s) of the proposed system

- g. manufacturer's name and address
- h. survival wind speed in miles per hour and meters per second for the tower and the maximum power output for the generator
- i. name, address, and telephone number of the installer
- j. name, address, and telephone number of the person responsible for maintenance
- k. the height of the WECS and/or Met tower, as described in paragraph D.1 below
- l. the setbacks from the wind turbine and/or Met tower and any accessory components (structure, guy wires, etc.) to the adjacent property lines

2. **Electromagnetic interference:** The entire WECS (including turbines, alternators, generators, and interconnect systems) and/or Met tower shall be located, designed, and filtered and/or shielded to prevent the emission of generated radio frequency energy which would cause any interference with radio, television broadcasting, wireless telephone, and/or personal communication transmission or reception, and shall comply with all applicable state and federal rules and regulations.
3. **Noise:** The maximum level of noise permitted to be generated by any WECS and/or Met tower shall be 55 decibels, as measured on the db(A) scale, measured at the property line nearest the WECS or Met tower. This decibel level may be exceeded during short term events such as utility outages or severe wind storms. If the ambient sound level prior to installation exceeds 55 decibels, the maximum noise standard shall be the ambient decibels plus five. The Planning Commission may request that a baseline study of the decibel levels existing prior to and modeling of noise levels predicted for after the installation be included as required documentation for review.
4. **Visual Impact:** Both wind turbines and Met towers shall use tubular towers and shall be finished in a single, non-reflective, matte-finished color. A Met tower shall also be permitted to be of a lattice-type design. Multiple towers involved in a "large turbine/utility grid" WECS shall be constructed of similar design, size, operation, and appearance throughout the project. No lettering, company insignia, advertising, or graphics shall be on any part of the tower, hub, or blades. Accessory structures may have lettering that exhibits the manufacturer's and/or owner's identification.

#### D. Site development.

1. **Height:** The height of the wind turbine shall be measured from the existing grade at the base of the turbine to the top of the blade or rotor at its tallest point. The height of the Met tower shall be measured from the existing grade at the base of the tower to the top of the unit at its tallest point.
  - a. The maximum allowable height for any "small turbine/on-site" WECS, based upon the combined tower and rotor blade length, shall be 40 feet for site parcels of one to less than two acres, 80 feet for site parcels of two to less than three acres and up to 120 feet for site parcels of three acres or more.

- b. The maximum allowable height for any "large turbine/utility grid" WECS, based upon the combined tower and rotor blade length, shall be 300 feet. The Planning Commission, in consideration of a request, may approve an increase to this height requirement where the following requirements are met:
  - i. The increased height will result in the preservation of a substantial stand of trees, existing land forms, or structures that would otherwise be required to be removed to satisfy anticipated and required wind velocity.
  - ii. The increased height is the minimum necessary to achieve a reasonable rate of return on the operation of the wind turbine generator given the documented wind speeds and other site conditions. A reasonable rate of return is not equivalent to maximizing economic return. The Planning Commission shall not grant the increased height if the lack of economic return is due to the use of inefficient equipment that does not utilize current commercial technologies or would be aesthetically injurious to the area.
  - iii. The increased height will not result in increased intensity of lighting on the tower due to Federal Aviation Administration (FAA) requirements.
- c. A WECS located in proximity to an airport may be subject to additional height limitations as provided in the airport's layout or approach plan.
- d. The maximum allowable height for a Met tower and applicable height requirements shall be the same as for a WECS as indicated in the paragraphs above depending on the size of the parcel and the intended type of WECS.

2. **Lot area/setbacks:**

- a. No "small turbine/on-site" WECS or associated Met tower shall be erected on any lot or parcel less than one acre in area and shall be situated on the lot or parcel so that no portion of the tower or turbine is closer to property lines (excluding public utilities) than 150 percent of the height of the tower or turbine as defined in subparagraph D.1 above.
- b. No "large turbine/utility grid" WECS or associated Met tower shall be erected on any parcel less than five acres in area and shall be situated on the parcel so that no portion of the tower or turbine is closer to property lines (excluding public utilities) than 150 percent of the height of any tower or turbine as defined in subparagraph D.1 above.
- c. Guy wires or other elements of the support structure shall not extend closer than ten feet to the owner's property lines.
- d. Accessory structures or other accessory equipment used in the function of the WECS and/or Met tower shall satisfy the setback requirements of the subject zoning district.

3. **Ground Clearance:** For both horizontal and vertical axis turbines, the WECS rotor shall be located on the tower or support such that the minimum blade clearance above ground level is 20 feet.
4. **Safety / Accessibility:** All WECS shall be designed to prevent unauthorized access to electrical and mechanical components and shall have access doors that are kept securely locked at all times when service personnel are not present. Towers shall be designed and constructed in such a manner that climbing devices are only accessible with a separate ladder to a height of 12 feet. All spent lubricants and cooling fluids shall be properly and safely removed promptly from the site of the WECS. A sign shall be posted near the WECS containing emergency contact information as well as near the entrance warning visitors about the potential danger of falling ice.
5. **Connection to power grid:** If the WECS is to be interconnected with the power grid of the local electric utility, the applicant shall provide proof of written notice to the utility of the proposed interconnection and the utility's response thereto. The owner shall comply with all requirements of the servicing utility if the WECS is interfaced with the utility grid. The utility will install appropriate electric metering (for sellback or non-sellback) and the owner will be required to install a disconnecting device adjacent to the electric meter(s).
6. **Lighting:** The WECS and/or Met tower shall be lighted in compliance with the minimum requirements of the Federal Aviation Administration (FAA).
7. **Vibration:** Under no circumstances shall a WECS or Met tower produce vibrations humanly perceptible beyond lot boundaries.
8. **Additional studies:** The applicant may offer and submit, or the Planning Commission may require, that the applicant submit studies related to noise, vibration, environmental impacts, or similar issues that may be considered a nuisance. In addition, such studies may include avian and wildlife impact, visual impacts, shadow flicker (changes in light intensity caused by the moving blade) or similar issues based upon compatibility of the proposed use in the requested location.

E. **Decommission plan/site reclamation.** The applicant shall submit a plan that indicates the necessary anticipated life of the project, the estimated cost and method to ensure the availability of maintenance and removal funds, and the manner in which the site will be reclaimed.

F. **Abandonment of unused turbines.** Abandoned or unused turbines and associated facilities shall be removed within 12 months of the cessation of operations at the site unless a time extension is approved by the Planning Commission. A copy of the relevant documents (including the signed lease, deed, license, or land contract) which allows the installation and which requires the applicant to remove the turbine and associated facilities upon cessation of operations shall be submitted at the time of application. In the event that a turbine is not removed within the 12 months of the cessation of operations at a site, the turbine and facilities shall be removed by the Township and the costs of removal assessed against the real property.

G. **Bonding.** Bonding may be required by the Township to insure performance in accordance with these requirements, adequate insurance coverage, decommissioning, and removal of the turbines. The amount of the bond shall be determined based on the value of the project and the estimated cost of removal.

(Amended 2010)