

**TOWN OF FOREST  
ST. CROIX COUNTY, WISCONSIN**

**ORDINANCE NO. 2022 - 1  
BATTERY ENERGY STORAGE SYSTEM MORATORIUM**

The Town Board of the Town of Forest, St. Croix County, Wisconsin, does ordain as follows:

**WHEREAS**, the Town Board finds that a moratorium on Battery Energy Storage Systems is necessary to allow the Town adequate time to complete its study of the possible impacts that the issuance of permits for Battery Energy Storage Systems may have on the health, safety, and general welfare of the residents of the Town, including impacts on air quality, water quality, public infrastructure, property values, and the local economy;

**WHEREAS**, the Town Board finds that a moratorium is necessary to allow Town residents and other members of the public an opportunity to fully participate in the study of these impacts;

**WHEREAS**, given the irreparable and unknown harm that may be caused by operation of Battery Energy Storage Systems, the Town Board finds that immediate action is warranted; and,

**WHEREAS**, the Town Board wishes to impose a moratorium for only such time as is prudent and necessary to allow the Town to complete this phase of its study, and;

**WHEREAS**, the Town Board expects this moratorium will need to be in place for at least one year and six months from its effective date;

**NOW, THEREFORE**, in consideration of the above Recitals, which are incorporated herein by reference, the Town Board of the Town of Forest ordains as follows:

**Section 1 -- TITLE AND PURPOSE:**

1.1 Title. The title of this Ordinance is the Town of Forest **Ordinance To Impose A Moratorium On Issuance Of Permits for Battery Energy Storage Systems ("Moratorium" or "Ordinance")**.

1.2 Purpose. The purpose of the Moratorium is to promote meaningful

implementation of the Town's ordinances and to protect the health, safety, and general welfare of the residents of the Town. A Moratorium is necessary for this phase of the study of the possible impacts that the issuance of permits for Battery Energy Storage Systems on the health, safety, and general welfare of the residents of the Town, including impacts on air quality, water quality, public infrastructure, property values, and the local economy.

## **Section 2 -AUTHORITY:**

The Town Board relies on Wis. Stat. § 61.34, the general police powers of a village board, which have been conferred on the Town Board pursuant to Wis. Stat. §§ 60.10 (2)(c) and 60.22(3), and Wis. Stat. §§ 60.23.

## **Section 3 -- MORATORIUM IMPOSED:**

3.1 For the duration of the Moratorium, the Town Board shall not consider or process any new applications or requests for the issuance of permits for Battery Energy Storage Systems unless expressly approved by the Town prior to enactment of this Moratorium.

3.2 The Town Board prohibits Town officials, employees, and/or consultants, from accepting, reviewing or acting upon applications or other similar requests for approval of activities that are or are likely to result in violation(s) of this Moratorium.

3.3 The Town Board withdraws the authority of any official or independent contractor to accept, review and/or act upon applications, other similar requests for approval of activities that are or are likely to result in violation(s) of this Moratorium.

## **Section 4--DURATION OF MORATORIUM:**

The Moratorium shall expire at the end of one year and six months following the effective date of this ordinance unless the Moratorium is extended by the Town Board.

## **Section 5--ACTION ANTICIPATED DURING MORATORIUM:**

5.1 The Town Board shall complete a comprehensive review of the possible impacts of the issuance of permits for Battery Energy Storage Systems.

5.2 The Town Board may, at its discretion, retain experts, including but not limited experts in the fields of geology, hydrogeology, soils, public health, engineering, law, real estate, and environmental protection.

5.3 The Town Board shall provide opportunities for public participation throughout the process, and consider the public health, safety, and general welfare of Town residents during its review process.

5.4 The Town Board shall report its findings and recommendations to the public prior to the expiration of the Moratorium.

5.5 In accordance with applicable statutes and ordinances, the Town Board shall act upon its findings and the recommendations from Town residents and the Town's consultants.

#### **Section 6 -- EFFECTIVE DATE AND PUBLICATION:**

6.1 This Ordinance shall be effective upon adoption and publication as required by law.

6.2 The Town Clerk shall properly publish this Ordinance as a Class 1 Notice as required under Wis. Stat. §60.80(1).

By signing below, we affirm that this Ordinance was adopted at a duly noticed meeting of the Town Board held on ~~this 23rd day of August, 2022.~~

September 13, 2022

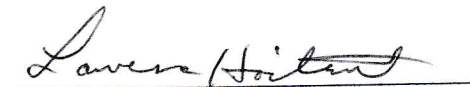


Supervisor, Town of Forest

Chairman




Supervisor, Town of Forest



Supervisor, Town of Forest

ATTESTED BY:

By:   
Town Clerk