

**Section 28.00 – Ordinance Exceptions**

Regulations of this Ordinance governing area, height, placement, and use of land and buildings shall be subject to the exceptions contained in this Article.

**Section 28.01 – Essential Services**

The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions, of overhead, surface, or underground gas, electrical, steam, or water distribution or transmission systems, collections, communication, supply or disposal systems, including mains, drains, sewers, pipes, boxes, traffic signals, hydrants, towers, poles and other equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission, or necessary for the public health, safety, or welfare of the community, shall be exempt from the regulations of this Ordinance; provided, however, that the installation shall conform to all Federal and State regulations having jurisdiction. However, the following essential services shall be subject to the special land use provisions set forth in Section 30.02 herein:

- A. Electrical substations.
- B. Gas regulator stations.
- C. Major transmission lines.
- D. Radio, television, microwave transmission and relay towers.
- E. Telephone exchange and transmission equipment buildings.
- F. Railroad rights-of-way, but excluding railroad yards and shops which are subject to the provisions set forth in Article XX.
- G. Water pumping stations.
- H. Water and waste-water works, reservoirs, pumping and filtration plants.

**Section 28.02 – Height Limit**

The height limitations of this Ordinance shall not apply to farm buildings, chimneys, church spires, flag poles, public monuments, or wireless transmission towers. Wind Energy Conversion Systems shall require that the height of any tower and blade in it's vertical position shall not exceed the setback from any property line. However, the Planning Commission may specify a height limit for any such structure that requires authorization as a Special Land Use. The Planning Commission shall only give approval if the total height is not adverse to the character of the area, not detrimental to the use and/or value of the surrounding properties, and not injurious to the health, safety, and welfare of the Township of Orion. In addition, any height requirement, variance, or waiver in excess of seventy (70) feet shall require mandatory approval of the Federal Aviation Agency. *(amended 02.01.10)*

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