

ORDINANCE #25-2009

AN ORDINANCE TO ADOPT THE STANDARDS FOR SMALL WIND ENERGY CONVERSION SYSTEMS (WIND TURBINE ELECTRIC GENERATORS)

WHEREAS, the Council of the Village of Woodville, Sandusky County, Ohio previously adopted a Planning and Zoning Code pursuant to Part 11 of the Codified Ordinances of the Village of Woodville; and

WHEREAS, the Council of the Village of Woodville, Sandusky County, Ohio wishes to adopt Chapter 1122, the standards for small wind energy conversion systems (wind turbine electric generators) of the Codified Ordinances of the Village of Woodville, Sandusky County, Ohio,

NOW, THEREFORE BE IT ORDAINED by the Council of the Village of Woodville, Sandusky county, Ohio that:

Section 1: That **Chapter 1122, Small Wind Energy Systems**, be adopted as follows:

1122.01 PURPOSE

The purpose of this chapter is to permit a small wind energy system as an accessory use on property in any district as determined suitable to operate with local wind conditions under the laws of the State of Ohio.

1122.02 GENERAL STANDARDS

(a) A Small Wind Energy System shall be a permitted accessory use in any zoning district if the system complies with the following requirements:

(1) Notice. Notice of an application for Installation of a small wind energy system shall be provided to the property owners within 300 feet of the property on which the system is to be located by regular mail, with certificate of mailing. Said notice shall be made within five days of the submission of the zoning permit application, and copies of the same shall be submitted to the zoning inspector or the permit application will be deemed to be incomplete.

(2) Tower Height. Tower Heights of not more than 60 feet shall be allowed on parcels of not less than the size required for the Zoning District wherein the system is proposed to be located.

(3) Location & Setbacks. The Small Wind Energy System shall be located in the rear yard and no part of the system may extend closer than 25 feet to the property boundaries of the installation site.

(4) Compliance with National Electric Code. All zoning permit applications for small wind energy systems shall include a statement that the installation will conform to the National Electrical Code.

(5) Compliance with the Ohio Building Code or Uniform Building Code. All zoning applications for small wind energy systems shall include standard installation drawings and an engineering certification by a licensed professional engineer that the tower structure, including the tower, base and footings are designed and will be constructed in compliance with the Ohio Building Code or Uniform Building Code. However, a wet stamp shall not be required, provided that the applicant demonstrates that the system is designed to meet the most stringent wind requirements.

(6) Noise. Decibel levels for the system shall not exceed 60 dB(A) or in excess of 5dB(A) above the background noise, whichever is greater, as measured at the property line, except during short-term events such as utility outages and severe windstorms.

(7) Utility Notification. No small wind energy system shall be installed until evidence has been given that the Village Utility Department has been informed of the property owner's intent to install an interconnected customer-owned generator by the owner completing the required forms and paying any required interconnect fee. Off-grid systems shall be exempt from this requirement.

(8) Aesthetics. Wind turbines and towers shall be painted white, off-white, or light gray to minimize visual impact upon the surrounding property owners. Neither the wind turbine nor the tower shall be used as a billboard or as an advertising device. All applications shall show a site plan illustrating the wind turbine tower, any proposed signage, and specifying the color of the tower and wind turbine. If a fence is required in accordance with 1105.02(129) A, it will also be included in site plan.

1122.03 SMALL WIND ENERGY SYSTEM APPROVAL PROCESS.

(a) The property owner shall apply for a zoning permit by following the procedure set forth in Chapter 1155, Section 1155.01 thereof, and shall notify property owners within 300 feet as required in section 1122.02(a)1.

(b) The property owner shall notify the Village utility department of his/her intent to connect generation equipment to the electric system and shall complete the required forms and pay the fees required.

1122.04 VARIANCES.

(a) In the event that any application for a permit to install a proposed small wind energy system cannot or does not meet the general standards, as determined by the zoning inspector, a zoning variance will be required.

(b) The Zoning Board of Appeals shall conduct a public hearing when requested, and may grant a variance in conformity with Chapter 1159 of the Zoning Ordinance.

1122.05 NON-USE.

Any small wind energy system or tower which is not used for two (2) years, excluding repairs, shall be removed within the following six (6) months. Failure to remove the system shall be deemed a violation of this Ordinance.

Section 2: It is found and determined that all formal actions of the Council of the Village of Woodville, Sandusky County, Ohio concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

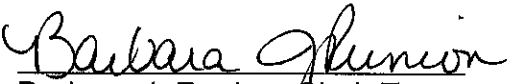


Mayor Richard A. Harman

ATTEST:

Suspension of the rules: 8-10-09
Yeas: 6
Nays: 0

Passage: 8-10-09
Yeas: 6
Nays: 0



Barbara J. Runion, Clerk-Treasurer