

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1195

By: Wyrick

6 AS INTRODUCED

7 An Act relating to anemometer towers; defining terms;
8 requiring certain markings for anemometer towers in
9 certain locations; stating effective dates; requiring
10 certain markings for towers, guy wires and
11 facilities; stating penalties for violations;
12 providing for codification; and providing effective
13 date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 121 of Title 3, unless there is
16 created a duplication in numbering, reads as follows:

17 A. For purposes of this act, the term "anemometer" means an
18 instrument for measuring and recording the speed of wind. The term
19 "anemometer tower" means a structure, including all guy wires and
20 accessory facilities, on which an anemometer is mounted for the
21 purposes of documenting whether a site has wind resources sufficient
22 for the operation of a wind turbine generator.

23 B. In addition to any zoning requirements of the Airport Zoning
24 Act or the Aircraft Pilot and Passenger Protection Act, any

1 anemometer tower that is fifty (50) feet in height above the ground
2 or higher, that is located outside the exterior boundaries of any
3 municipality, and whose appearance is not otherwise mandated by
4 state or federal law shall be marked, painted, flagged, or otherwise
5 constructed to be recognizable in clear air during daylight hours.

6 C. Any anemometer tower erected before the effective date of
7 this act shall be marked as required herein within one year
8 following the effective date of this act. Any anemometer tower
9 erected on or after the effective date of this act shall be marked
10 as required herein at the time it is erected.

11 D. Marking as required by this act shall include marking the
12 anemometer tower, guy wires, and accessory facilities as follows:

13 1. The top one-third (1/3) of the anemometer tower shall be
14 painted in equal, alternating bands of aviation orange and white,
15 beginning with orange at the top of the tower and with orange at the
16 bottom of the marked portion of the tower;

17 2. Two marker balls shall be attached to and evenly spaced on
18 each of the outside guy wires;

19 3. The area surrounding each point where a guy wire is attached
20 to the ground shall have a contracting appearance with any
21 surrounding vegetation. If the adjacent land is grazed, the area
22 surrounding the anchor point shall be fenced not less than sixty-
23 four (64) square feet with an outer boundary at least four (4) feet
24 from the anchor point; and

1 4. One or more seven-foot safety sleeves shall be placed at
2 each anchor point and shall extend from the anchor point along each
3 guy wire attached to the anchor point.

4 E. Violations of this act shall constitute a misdemeanor
5 punishable by a fine of One Hundred Dollars (\$100.00) per day, per
6 separate offense. Subsequent violations of this act shall be
7 punishable by a minimum fine of One Thousand Dollars (\$1,000.00) not
8 to exceed Five Thousand Dollars (\$5,000.00) per day, per separate
9 offense.

10 SECTION 2. This act shall become effective November 1, 2014.

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