

SENATE BILL No. 227

By By Committee on Ways and Means

3-8

1 AN ACT concerning anemometer towers; relating to required markings;
2 penalties.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section:

6 (1) "Anemometer" means an instrument for measuring and recording
7 the speed of wind; and

8 (2) "anemometer tower" means a structure, including all guy wires
9 and accessory facilities, on which an anemometer is mounted for the
10 purposes of documenting whether a site has wind resources sufficient for
11 the operation of a wind turbine generator.

12 (b) Any anemometer tower that is 50 feet in height above the ground
13 or higher, located outside the exterior boundaries of any municipality, and
14 whose appearance is not otherwise mandated by state or federal law, shall
15 be marked, painted, flagged or otherwise constructed to be recognizable in
16 clean air during daylight hours. Any anemometer tower that was erected
17 before July 1, 2011 shall be marked as required by this section within two
18 years after the effective date of this act. Any anemometer tower that is
19 erected on or after the July 1, 2011 shall be marked as required by this
20 section at the time it is erected. Marking required under this section
21 includes marking the anemometer tower, guy wires and accessory facilities
22 as follows:

23 (1) The top $\frac{1}{3}$ of the anemometer tower shall be painted in equal,
24 alternating bands of aviation orange and white, beginning with orange at
25 the top of the tower and ending with orange at the bottom of the marked
26 portion of the tower;

27 (2) two marker balls shall be attached to and evenly spaced on each
28 of the outside guy wires;

29 (3) the area surrounding each point where a guy wire is anchored to
30 the ground shall be a contrasting appearance with any surrounding
31 vegetation. If the adjacent land is grazed, the area surrounding the anchor
32 point shall be fenced. The area surrounding the anchor point means an area
33 not less than 64 square feet whose outer boundary is at least four feet from
34 the anchor point; and

35 (4) one or more seven-foot safety sleeves shall be placed at each
36 anchor point and shall extend from the anchor point along each guy wire

1 attached to the anchor point.

2 (c) Failure to properly mark an anemometer tower is failing to mark
3 an anemometer tower as required by subsection (b). An owner of an
4 anemometer tower who fails to properly mark an anemometer tower shall
5 be guilty of a class C nonperson misdemeanor.

6 Sec. 2. This act shall take effect and be in force from and after its
7 publication in the statute book.