

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.

3

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~~ **corporate** boundaries of any
14 ~~municipality~~ **city**, and whose appearance is not otherwise mandated by
15 state or federal law, shall be marked, painted, flagged or otherwise
16 constructed to be recognizable in clean air during daylight hours. Any
17 anemometer tower that was erected before July 1, 2011 shall be marked as
18 required by this section within two years after the effective date of this act.
19 Any anemometer tower that is erected on or after the July 1, 2011 shall be
20 marked as required by this section at the time it is erected. Marking
21 required under this section includes marking the anemometer tower, guy
22 wires and accessory facilities 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; **and**

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)~~ **(3)** 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.