

TITLE V – PROPERTY AND LAND USE**CHAPTER 56****C-WECS DISPOSAL, STORAGE & RECYCLING**

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56.01 – PURPOSE

The purpose of this ordinance is to provide for the regulation of the recycling, storage and disposal of waste and materials created for or by Commercial Wind Energy Conversion Systems (C-WECS).

56.02 – DEFINITIONS

For use in this ordinance, certain terms and words herein shall be interpreted or defined as follows:

- a. **“Commercial Wind Energy Conversion System (or C-WECS)”** shall mean a turbine, owned and operated by an energy corporation or a commercial entity to generate electricity by converting the energy of the wind into electrical energy to be used on-site or distributed to the electrical grid. Any C-WECS having a Total Height greater than 125 feet is considered a commercial turbine.
- b. **“Solid and Hazardous Wastes and Materials”** shall mean crates, packaging materials, damaged or worn parts, components, blades removed, as well as oil and lubricants.
- c. **“County”** shall mean Madison County, Iowa

56.03 – C-WECS WASTE & MATERIAL DISPOSAL

Solid and hazardous wastes and materials shall be removed from the county and disposed of in accordance with all applicable local, state and federal regulations. No solid and hazardous wastes and materials shall be disposed of within the county, including on private or public lands, or at private or public waste management sites/dumps/landfills. Failure to comply with this provision is hereby punishable as set forth below in section 56.06.

56.04 – C-WECS WASTE & MATERIAL STORAGE

Solid and hazardous wastes and materials are not permitted to be stored within the county, including on private or public lands, or at private or public waste management sites/dumps/landfills. This does not include the storage of materials used for the construction or maintenance of an active C-WECS turbine until the construction or maintenance is completed. Failure to comply with this provision is hereby punishable as set forth below in section 56.06.

56.05 – C-WECS WASTE & MATERIAL RECYCLING

Solid and hazardous wastes and materials are not permitted to be recycled within the county, including on private or public lands, or at private or public waste management

sites/dumps/landfills. All recycling must be done outside of the county. Failure to comply with this provision is hereby punishable as set forth below in section 56.06.

56.06 – VIOLATIONS AND PENALTIES

Failure to comply with this ordinance shall be punishable by a civil penalty of not more the \$750 for each violation or if the infraction is a repeat offense a civil penalty not to exceed \$1,000 for each repeat offense pursuant to Iowa Code Section 331.307. The county may also seek for specific relief from the Court to abate and/or remove any solid and hazardous wastes and materials found on any public or private land(s) in the county.

56.07 – REPEALER

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. However, such repeal shall be only to the extent of such conflict.

56.08 – SEVERABILITY CLAUSE

If any section, provision, or other part of this ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or other part thereof not adjudged invalid or unconstitutional.

56.09 – EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law, which means it will be effective thirty days from the date of the Public Hearing and its approval, whichever is later.

Passed and approved this ____ day of _____, 2022.