

ORDINANCE NO. 2807

AN ORDINANCE CREATING A NEW CHAPTER OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, 17.79 **SUPPLEMENTARY REGULATIONS**, ADDING A NEW SECTION 17.79.010 **WIND-POWERED GENERATORS**, ADDING A NEW DEFINITION 17.09.520 **WIND-POWERED GENERATOR**, AND RECLASSIFYING EXISTING SEC. 17.09.520 TO SEC. 17.09.530

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WHEREAS, the City of Great Falls desires to establish standards for the erection and operation of wind-powered electricity generators within the City limits of Great Falls, Montana; and,

WHEREAS, the Great Falls City-County Planning Board has conducted research, held a public hearing, and has taken steps necessary to recommend standards for wind-powered generators so as to protect the public health and safety, NOW THEREFORE,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. That a new Chapter 17.79 Supplementary Regulations is hereby added to the Official Code of the City of Great Falls.

Section 2. That a new Section 17.79.010 Wind-powered generators is hereby added to the Official Code of the City of Great Falls as presented in attached EXHIBIT A.

Section 3. That a new definition 17.09.520 Wind-powered generator, be added to the Official Code of the City of Great Falls as presented in attached EXHIBIT A.

Section 4. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission and approval by the mayor.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 4th day of September, 2001.

Randall H. Gray, Mayor

ATTEST:

City Clerk

(SEAL OF CITY)

APPROVED AS TO FORM: City Attorney

State of Montana)
County of Cascade : ss.
City of Great Falls)

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance No. 2807 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 4th day of September, 2001, and approved by the Mayor of said City on the 4th day of September, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 4th day of September, 2001.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

State of Montana)
County of Cascade : ss.
City of Great Falls)

Peggy J. Bourne, being first duly sworn, deposes and says: That on the 4th day of September, 2001, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance No. 2807 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

EXHIBIT A

Add a new definition:

17.09.520 Wind-powered generator. “Wind-powered generator” is a device for converting wind energy into electricity.

Add a new chapter:

17.79 Supplementary Regulations

17.79.010 Wind-powered generators. Wind-powered generators are permitted subject to the following provisions and standards:

- A. Wind-powered generators are allowed as accessory uses in all districts provided the following standards are met:
 1. For lots or parcels of less than 20,000 sq. ft. gross area, a wind-powered generator may be rated up to 2 kW with a blade diameter of not more than 12 feet.
 2. For wind-powered generators rated up to and including 5 kW, the minimum lot area shall be 20,000 square feet.
 3. For wind-powered generators rated from 5 kW to 10 kW, the minimum lot area shall be one acre. For properties greater than one acre in size, there are no limits on the rating of a wind-powered generator provided other applicable provisions of this section are met.
 4. In residential districts, maximum tower height shall be eighty (80) feet as measured from finished grade to the top of the tower structure. In commercial and industrial districts, the maximum tower height shall be 100 feet.
 5. Minimum setback from any property line shall be 110% of the tower height.
 6. Multiple wind-powered generators are allowed on any site provided all standards set forth in this section are met.
- B. All wind-powered generator installations are subject to applicable building, electrical, and mechanical permits issued by the City of Great Falls.
- C. All wind-powered generators are subject to noise standards set forth in Chapter 8.56, and it is incumbent upon the property owner to demonstrate compliance prior to the issuance of any permits by the City.
- D. All tower installations other than single-pole towers shall be enclosed by a fence or shall incorporate other effective measures to discourage unauthorized climbing of the tower.
- E. Tower colors should be of neutral subdued tones such as earth tones of green or brown. Gray, including naturally darkening galvanized gray, is also acceptable. Towers shall not be finished in bright or vivid colors intended to draw attention to the structure or property, nor shall the tower be used for advertising of any kind.

EXHIBIT B

Add a new definition:

17.09.520 Wind-powered generator. “Wind-powered generator” is a device for converting wind energy into electricity.

Add a new chapter:

17.79 Supplementary Regulations

17.79.010 Wind-powered generators. Wind-powered generators are permitted subject to the following provisions and standards:

- A. Wind-powered generators are allowed as conditional uses in all residential districts and subject to the provisions of Sec. 17.12.020 Conditional uses, provided that the following standards are met:
 1. For wind-powered generators rated up to and including 2KW, the minimum lot area shall be 20,000 square feet.
 2. For wind-powered generators rated from 2KW to 10KW, the minimum lot area shall be one acre.
 3. Maximum tower height shall be eighty (80) feet as measured from finished grade to the blade axis of the turbine.
 4. Minimum setback from any property line shall be two (2) times the mounting height of the generator or seven (7) times the blade diameter, whichever is greater.
 5. Multiple wind-powered generators are allowed on any site provided all standards set forth in this section are met.
- B. Wind-powered generators are allowed in all commercial and industrial districts as accessory uses subject to the provisions of Sec. 17.09.010 and 17.09.020, provided the following standards are met:
 1. For wind-powered generators up to and including 2KW, the minimum lot area shall be 20,000 square feet.
 2. For wind-powered generators rated from 2KW to 10KW, the minimum lot area shall be one acre.
 3. Maximum tower height shall be 100 feet as measured from finished grade to the blade axis of the turbine.
 4. Minimum setback from any property line shall be two (2) times the mounting height of the generator or seven (7) seven times the blade diameter, whichever is greater.
 5. Multiple wind-powered generators are allowed on any site provided all standards set forth in this section are met.
- C. All wind-powered generator installations are subject to applicable building, electrical, and mechanical permits issued by the City of Great Falls.
- D. All wind-powered generators must meet applicable City of Great Falls noise standards.

- E. All tower installations other than single-pole towers shall be enclosed by a fence or shall incorporate other effective measures to discourage unauthorized climbing of the tower.

- F. Tower colors should be of neutral subdued tones such as earth tones of green or brown. Gray, including naturally darkening galvanized gray, is also acceptable. Towers shall not be finished in bright or vivid colors intended to draw attention to the structure or property, nor shall the tower be used for advertising of any kind.