ORDINANCE NO. 2289-12
By the Plan Commission

AN ORDINANCE AMENDING SECTION 15.04.040 and CREATING SECTIONS 15.04.140, 15.04.435 OF THE MUNICIPAL CODE REGARDING WIND ENERGY SYSTEMS

The Common Council of the City of Brookfield do ordain as follows:

PART I. Section 15.04.040 – Definitions - is amended to add the following definitions:

“Small wind energy system” means a wind energy system that has a total installed nameplate capacity of 300 kilowatts or less and that consists of individual wind turbines that have an installed nameplate capacity of not more than 100 kilowatts, or as amended by the Wisconsin Administrative Code.

“Wind energy system” means equipment and associated facilities that convert and then store or transfer energy from the wind into usable forms of energy, or as amended by the Wisconsin Administrative Code.

PART II. Section 15.04.140 Permits – Designated is created to read as follows:

V. Wind energy systems permit under Section 15.04.435 of this chapter and as regulated under the Wisconsin Administrative Code.

PART II. Section 15.04.435 Wind Energy Systems is created to read as follows:

A. Permit Required. No person shall erect any wind energy system or any component thereof unless a permit therefor has first been obtained from the director and all other applicable legal requirements are complied with. Applications for such permit shall be on forms provided by the director and shall be accompanied by the following:

1. The fee prescribed in Section 15.04.780;

2. The manufacturer’s brochure and all plans and specifications and all other documents prepared by the manufacturer of same;

3. Plans drawn to scale showing the extent to which the wind energy system would create shadows or otherwise block direct sunlight on adjacent or neighboring properties;

4. Such other items required under Sections 15.04.140 through 15.04.260 as the director may deem applicable.

The director shall have the authority as a condition to granting such permit, to require such additions, changes and safeguards as he/she determines to be necessary or appropriate to carry out the provisions of this section.

B. Plan Commission Approval Required. No permit under this section shall be issued for wind energy systems unless and until the plan commission approves the same as to appearance,
materials and standards so as to assure that same is harmonious with and not adverse to the values of adjacent or nearby properties.

III. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

ADOPTED AND APPROVED ____________ June 5 ______, 2012

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Kelly Michaels, City Clerk                     Steven V. Ponto, Mayor

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