

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE  
OF ORDINANCES, REGARDING THE SITING OF WIND ENERGY SYSTEMS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.01(82a) is created to read as follows:  
(82a) *Wind Energy System*. "Wind Energy System" has the meaning given in s. 66.0403(1)(m), Wis. Stats.

ARTICLE 3. Section 10.196 is created to read as follows:

10.196 STANDARDS AND PROCEDURES FOR WIND ENERGY SYSTEMS. (1) This section provides the standards and procedures for issuance of conditional use permits for wind energy systems, as defined in s. 66.0403(1)(m), Wis. Stats. The purpose of this section is to ensure any proposed wind energy system complies with applicable provisions of PSC 128, Wisconsin Administrative Code as amended, and this section.

(2) No restriction shall be placed, either directly or in effect, on the installation or use of a wind energy system, unless the restriction satisfies one of the following conditions:

(a) Serves to preserve or protect the public health or safety.

(b) Does not significantly increase the cost of the system or significantly decrease its efficiency.

(c) Allows for an alternative system of comparable cost and efficiency.

(3) *Use*. Wind energy systems are a conditional use in any district. The County will apply Wis. Stats. s. 66.0401 and PSC Ch 128 Wisconsin Administrative Code as amended, in the evaluation of such requests.

(4) *Procedures*. To the extent not inconsistent with state law, the procedures for consideration of conditional uses set forth in s. 10.255(2) shall be followed.