**UNION COUNTY ORDINANCE # 72**

**County Wind Energy Ordinance**

Title: Assessment of Wind Energy Conversion Property

Be it enacted by the Board of Supervisors of UNION County, Iowa:

**SECTION 1 Purpose:** The purpose of this ordinance is to provide for the special valuation

of wind energy conversion property pursuant to Iowa Code Chapter 427B.26.

**SECTION 2 Definitions**: For use in this ordinance, certain terms and words used herein

shall be interpreted or defined as follows:

(A) "NET ACQUISITION COST" (NAC) means the acquired cost of the

property including all foundations and installation cost less any excess cost

adjustment.

(B) "WIND ENERGY CONVERSION PROPERTY" means the entire wind

plant including, but not limited to, a wind charger, windmill, wind turbine,

tower and electrical equipment, pad mount transformers, power lines, and

substation.

**SECTION 3 Authority to Establish:** The Board of Supervisors is authorized, pursuant to

Iowa Code Chapter 427B.26, to provide by ordinance for special valuation of wind energy

conversion property as provided in Section 4.

**SECTION 4 Establishment:** Pursuant to Iowa Code Chapter 427B.26, a special valuation

of wind energy conversion property is allowed in lieu of the valuation assessment provisions

in Iowa Code Chapter 441.21(8)(b) and (c) and Iowa Code Chapters 428.24 to 428.29. The

special valuation shall only apply to wind energy conversion property first assessed on or

after the effective date of this ordinance.

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**SECTION 5 Amount of Valuation:** Wind Energy conversion property, first assessed on or

after the effective date of the ordinance, shall be valued by the county assessor for property

tax purposes as follows:

Assessment Year 1 0 %

Assessment Year 2 NAC x 5%

Assessment Year 3 NAC x 10%

Assessment Year 4 NAC x 15%

Assessment Year 5 NAC x 20%

Assessment Year 6 NAC x 25%

Assessment Year 7 NAC x 30%

All Following Years NAC x 30%

**SECTION 6 Declaration of Special Valuation**: The taxpayer shall file with the county

assessor by February 1 of the assessment year in which the wind energy conversion property

is first assessed for property tax purposes, a declaration of intent to have the property

assessed at the value determined under Section 5 in lieu of the valuation assessment

provisions in Iowa Code Chapter 441.21(8)(b) and (c) and Iowa Code Chapters 428.24 to

428.29.

**SECTION 7 Reporting Requirements:** The following reports shall be filed annually with

the county assessor by the taxpayer in the first year with the declaration of intent as

prescribed in Section 6 and by February 1st of each year thereafter:

(A) Copy of asset ledger sheet to IRS;

(B) Engineering breakdown of component parts;

(C) Tower numbering system;

(D) Name of the contact person, phone number, FAX number, and mailing

address;

(E) Report of all leased equipment, the name(s) of the company(s) it is leased

from, and the agreement between the lesser and lessee regarding who is

responsible for the property tax on the leased equipment.

**SECTION 8 Repeal of Special Valuation:** If in the opinion of the Board of Supervisors

continuation of the special valuation provided under Section 4 ceases to be of benefit to the

county, the Board of Supervisors may repeal the ordinance. Property specially valued under

Section 4 prior to the repeal of the ordinance shall continue to be valued under Section 4 until

the end of the nineteenth (19th) assessment year following the assessment year in which the

property was first assessed.

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**SECTION 9 Repealer:** All ordinances or parts of ordinances in conflict with the provisions

of this ordinance are hereby repealed.

\**Ordinance Annotations:*

*Notice of Public Hearing and Publication - March 14, 2018*

*Public Hearing held - March 19, 2018*

*Approved by Bd of Supervisors - March 19, 2018*

*Multiple Readings Waived - March 19, 2018*

*Effective Date - May 1, 2018*

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