

TITLE 25. OKALHOMA AERONAUTICS COMMISSION
CHAPTER 35. ANEMOMETER TOWER GUIDELINES

SUBCHAPTER 1. GENERAL PROVISIONS

25:35-1-1. Purpose

The purpose of this chapter is to set forth administrative rules for the implementation of Title 3, Oklahoma Statutes, Section 121. This chapter establishes the requirements and procedures to be followed by the Commission in the administration and enforcement of its duties under this provision. HB 3348 gives the Commission the authority to promulgate rules to ensure that anemometer towers are marked for clear visibility and to establish a data base of anemometer tower locations throughout the state.

25:35-1-2. Definitions

The following words and terms, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Anemometer" is an instrument for measuring and recording wind speed;

"Anemometer tower" is a structure, including all guy wires and accessory facilities, on which an anemometer is mounted, that is fifty (50) feet in height above the ground or higher, is not located within the boundaries of a municipality, and whose appearance is not otherwise regulated by state or federal law; and

"Commission" means the Oklahoma Aeronautics Commission as created in Title 3, Oklahoma Statutes, Section 84 of the Oklahoma Statutes.

25:35-1-3. Additional zoning requirements

In addition to any zoning requirements of the Airport Zoning Act or the Aircraft Pilot and Passenger Protection Act, the Commission shall promulgate rules regulating the appearance of anemometer towers to ensure that anemometer towers are clearly recognizable in clear air during daylight hours.

SUBCHAPTER 3. MARKING OF ANEMOMETER TOWERS

25:35-3-1. Marking of anemometer towers

Marking as required by this chapter shall include marking the anemometer tower guy wires, and accessory facilities as follows:

(1) The entire anemometer tower shall be painted in seven equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and with orange at the bottom of the tower.

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires.

(3) One seven-foot safety sleeve shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point with a second sleeve attached to the outer guy wire.

SUBCHAPTER 5. ESTABLISHMENT OF DATABASE

25:35-5-1. Database requirements

- (a) The Commission shall establish and maintain a database containing the location of all anemometer towers by November 1, 2015. The Commission may contract with a governmental entity or private entity to create and maintain the database.
- (b) An owner of any existing anemometer tower erected in the state shall provide the Commission with information that specifies the owner, location and height of the tower and any other information that the Commission finds necessary for aviation safety.
- (c) At least ten (10) days before the erection of an anemometer tower, an owner of the tower shall provide the Commission with information that specifies the owner, location and height of the tower and any other information that the Commission finds necessary for aviation safety.
- (d) An owner of an anemometer tower shall notify the Commission within thirty (30) days after the removal of the tower.

SUBCHAPTER 7. ADMINISTRATIVE PENALTIES

25:35-7-1. Administrative penalties

- (a) Failure to comply with the requirements of this chapter shall result in a fine of One Hundred Dollars (\$100.00) per day.
- (b) Subsequent violations shall result in a fine of at least Five Hundred Dollars (\$500.00) and not more than Two Thousand Dollars (\$2,000.00) per day.

SUBCHAPTER 9. EFFECTIVE DATES

25:35-9-1. Effective dates

- (a) The effective date of Subchapter 3 shall be the date the Governor approves this chapter.
- (b) The effective date of Subchapter 5 shall be 30 days after the Governor approves this chapter.
- (c) Anemometer towers erected prior to the date of adoption of this chapter shall be exempt from this chapter for one (1) year from the date of adoption.