

Appanoose County Ordinance No. 48
Assessment of Wind Energy Conversion Property

Be it enacted by the Board of Supervisors of Appanoose 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 Section 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" means the acquired cost of the property including all foundation 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 Section 427B.26 to provide by ordinance for the special valuation of wind energy conversion property as provided below.

SECTION 4 Establishment: Pursuant to Iowa Code Section 427B.26, a special valuation of wind energy conversion property is allowed in lieu of the valuation assessment provision in Iowa Code Sections 441.21(8)(b), (c), and (d) and Iowa Code Sections 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.

SECTION 5 Amount of Valuation: Wind energy conversion property, first assessed on or after the effective date of this Ordinance, shall be valued by the Appanoose County Assessor for property tax purposes, as follows:

- (a) For the first assessment year, at zero percent (0%) of the net acquisition cost.
- (b) For the second through sixth assessment years, at a percent of the net acquisition cost which rate increases by five percent (5%) each assessment year.
- (c) For the seventh and succeeding years, at thirty percent (30%) of the net acquisition cost.

SECTION 6 Declaration of Special Valuation: The taxpayer shall file with the Appanoose County Assessor by February 1st 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 Sections 441.21(8)(b), (c), and (d), and Iowa Code Sections 428.24 to 428.29.

If the taxpayer files a declaration of intent with the Appanoose County Assessor, but does not do so by February 1st of the assessment year in which the wind energy conversion property is first assessed for property tax purposes, then the declaration of intent shall be considered as a declaration filed for the following year.

SECTION 7 Repeal of Special Valuation: If in the opinion of the Appanoose County Board of Supervisors, the continuation of the special valuation provided under Section 4 ceases to be of benefit to the County, the Appanoose County Board of Supervisors may repeal this Ordinance. Property specially valued in accordance with the above prior to the repeal of this Ordinance shall continue to be so valued until the end of the nineteenth (19th) assessment year following the assessment year in which the property was first assessed.

SECTION 8 Repealer: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9 Severability Clause: If any section, provision, or other part of this ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or other part thereof not adjudged invalid or unconstitutional.

SECTION 10 Effective Date: This ordinance shall be effective after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED this 3rd day of December, 2018 by the Appanoose County Board of Supervisors.

Mark Waits

, Chairman

Neal Smith

, Vice-Chairman

Linda Henry

, Member

Attest: Kelly Howard

Kelly Howard, Appanoose County Auditor