

**Ordinance 2022-0307A**

**AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE USE OF COUNTY ROADS FOR HEAVY EQUIPMENT TRANSPORTATION BY WIND ENERGY AND UTILITY COMPANIES WITHIN WARREN COUNTY, INDIANA**

BE IT HEREBY ORDAINED, by the Board of Commissioners of Warren County as follows:

WHEREAS, the Board of Commissioners of Warren County, herein referred to as the "Commissioners," has entered into agreements for the care and maintenance of County roads during the construction of wind energy projects in Warren County, Indiana, but made no provisions for the protection of such roads after the initial completion of the wind energy projects;

WHEREAS, certain utility companies operating within Warren County, Indiana have damaged County roads while using heavy equipment to make utility infrastructure repairs or enhancements, without any agreement to protect County roads;

WHEREAS, the Commissioners believe that it is in the best interest of the County to mandate and establish road bonds and permit fees for repairs involving the transportation of heavy equipment, as defined by the Warren County Highway Superintendent, to wind energy projects or to repairs or enhancements of utility infrastructure, within Warren County after the initial construction of such projects;


NOW THEREFORE, be it ordained by the Board of Commissioners of Warren County, Indiana, that:


1. Upon application to use County roads to transport heavy equipment that exceeds 80,000 pounds to repair wind towers or to repair or enhance utility infrastructure, the Commissioners direct the Warren County Highway Superintendent to designate routes for wind energy companies or utilities to use to get to and from wind turbines for maintenance and repairs or to get to and from utility infrastructure repairs or enhancements.
2. All County highways and roads designated by the County in the established route will need to be bonded by the wind energy company or utility, in an amount determined by the Warren County Highway Superintendent based on type of road (gravel, paved, chip and seal) and the current cost of repair for said highways and roads.
3. Prior to any wind energy company or utility bringing any heavy equipment into Warren County on County roads, the County shall require a \$3,000 heavy equipment permit fee to be paid, per wind turbine being serviced or per location of utility infrastructure being serviced, to cover the cost of repairing, inspecting, videotaping and reimbursing other expenses incurred by the County.


That this Ordinance shall be in full force and effective from and after its passage and adoption.

PASSED AND ORDAINED by the Board of Commissioners of Warren County, Indiana on this 7th day of March, 2022.


BOARD OF COMMISSIONERS OF  
WARREN COUNTY

  
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Clay Andrews, President

  
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Adam Hanthorne

  
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Craig Greenwood

ATTEST:

  
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Robin Weston-Hubner, Warren County Auditor