

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Small Wind Energy Systems

Section 674:65

674:65 Abandonment. – A small wind energy system that is out-of-service for a continuous 12-month period shall be deemed abandoned. The planning board administrator may issue a notice of abandonment to the owner of an abandoned small wind energy system. The owner shall have the right to respond to the notice of abandonment within 30 days from the receipt date. The planning board shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn if the owner provides the planning board with information demonstrating the small wind energy system has not been abandoned. If the small wind energy system is determined to be abandoned, the owner of the small wind energy system shall remove the wind generator from the tower at the owner's sole expense within 3 months of receipt of notice of abandonment. If the owner fails to remove the wind generator from the tower, the administrator may pursue a legal action to have the wind generator removed at the owner's expense.

Source. 2008, 357:1, eff. July 11, 2009.