

PROPOSED
Local Law No. 4 of 2021

A LOCAL LAW TO IMPLEMENT A TEMPORARY LAND USE MORATORIUM PROHIBITING
INSTALLATION OF SOLAR ENERGY FACILITIES AND SOLAR ENERGY SYSTEMS

BE IT HEREBY ENACTED BY THE TOWN BOARD OF THE TOWN OF AMSTERDAM AS FOLLOWS:

Section No. 1 Subject & Authority

The Town of Amsterdam hereby enacted a temporary 120 day or four (4) month land use moratorium on solar energy facilities and solar energy systems within all Town Zoning Districts. This Local Law is adopted in accordance with Municipal Home Rule Law §10 and shall be as follows:

Section No. 2 Purpose

The solar industry has grown in recent years due to increased calls to obtain economic and environment advantages of renewable energy, the federal and state tax benefits and solar industry innovation. Regulations currently exist on solar energy systems in the Town of Amsterdam Code. The Town Board is concerned about the possible increase in demand and potential impacts of solar energy facilities and solar energy systems and believes it is necessary to establish a Local Law enact a temporary 120 day or four (4) month land use moratorium in order to protect public health, safety and welfare of our community, the Town Board hereby declares said moratorium on the establishment, construction, enlargement or erection of solar energy facilities or solar energy systems. Recognizing this need, the Town believes that a moratorium is necessary to allow the Town Board to review our code and update our solar system regulations.

Section No. 3 Scope of Controls

- A) During the effective period of this Local Law:
- 1) The Town of Amsterdam Town Board shall not grant any approvals which would result in the establishment, placement, construction, enlargement or the erection of solar energy facilities or solar energy systems.
 - 2) The Town of Amsterdam Planning Board or Zoning Board of Appeals shall not grant any approvals which would result in the establishment, placement, construction, enlargement or the erection of solar energy facilities or solar energy systems.

- 3) The Zoning Enforcement Officer shall not issue any permit which would result in the establishment, placement, construction, enlargement or the erection of solar energy facilities and solar energy systems.
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- B) The Town Board reserves the right to direct the Zoning Enforcement Officer or Building Code Inspector to revoke or rescind any zoning permits, building permits, or certificates of occupancy issued in violation of this Local Law

Section No. 4 Moratorium

The Town of Amsterdam hereby imposed a temporary moratorium on the installation of and any applications for solar energy facilities and solar energy systems located in all Town of Amsterdam Zoning Districts until July 14th, 2021 and at this time wishes to proposed a 60 day or (2) month extension or any earlier date that the Town Board adopts regulations relating to solar energy systems. This moratorium does not apply to roof mounted solar panels.

Section No. 5 Extension

This moratorium may be extended for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the citizens of the Town of Amsterdam.

Section No. 6 Termination

This moratorium shall be terminated on September 12th or earlier upon enactment of any local legislation which adopts regulations relating to solar energy systems.

Section No. 7 Effective Period

This Local Law shall take effect immediately upon filing in the Office of Secretary of State, NY as provided in Municipal Home Rule Law §27 or as otherwise provided by law.