

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

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STATE RECORDS

JUL 17 2019

DEPARTMENT OF STATE

~~XXXXXX~~

~~XXXX~~

Town

of Mayfield

~~Village~~

Local Law No. 4 of the year 2019

A local law Imposing a Six Month Moratorium on the Construction or Erection
(Insert Title)
of a Solar Farm in the Town of Mayfield.

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~XXXXXX~~

~~XXXXXX~~

Town

of Mayfield

as follows:

~~Village~~

The text of this Local Law is annexed hereto.

Section 1. Enactment and Authorization.

The Town Board of the Town of Mayfield does hereby enact the Town of Mayfield Moratorium on Solar Energy Farms Law pursuant to the authority conferred by Section 10 of the Municipal Home Rule Law of the State of New York.

Section 2. Title.

This local law shall be known as the Town of Mayfield Moratorium on Solar Energy Farms Law.

Section 3. Purpose

- a. It is the purpose of this law to prevent and avoid serious detrimental health, environmental, planning conditions and development contrary to the Comprehensive Plan, which threaten the Town of Mayfield, outside the Village of Mayfield, by allowing degradation of its significant environmental resources and in order not to undermine the conscious and continuous determination by the Town to resolve and lessen such threats to the health, safety and welfare of the citizens of the Town of Mayfield, outside of the Village of Mayfield.
- b. It is the further purpose of this law to enable the Town of Mayfield, exclusive of the Village of Mayfield, to prevent the construction or erection of a solar farm (which is defined as the use of land where a series of one (1) or more solar collectors are placed in an area on a parcel of land for the purpose of generating photovoltaic power and said series of one or more solar collectors placed in an area on a parcel of land collectively has a name plate generation capacity of at least 15 kilowatts (15kW) direct current (dc) or more when operating at maximum efficiency) for a reasonable time pending the completion of a new or further local law regulating such construction in the Town of Mayfield.

Section 4. Imposition of Moratorium

For a period of one hundred eighty (180) days from and after the adoption date of this law, no application for construction or erection of a solar farm (as defined in Article II, Section 202, subparagraph 105 of the Zoning Law of the Town of Mayfield) may be filed, accepted or

processed by the Town of Mayfield, outside of the Village of Mayfield. For the purpose of this law an application for construction shall be deemed to mean any request for official action by the Town Board, Planning Board or Town Building Inspector, which request and approval would in any way commence or continue the process whereby solar energy facilities are or may be constructed or erected.

This moratorium is intended to ensure that no review or approvals for building permits or associated matters within an application duly filed with the Town of Mayfield after July 9, 2019 proceed until this Board completes its review with respect to such solar energy farms and has the opportunity to consider and enact comprehensive Code changes, as appropriate.

Section 5. Exception to Moratorium

The exceptions to this moratorium are as follows:

- a. If the Town Board shall have adopted a local law determining that this moratorium shall no longer be effective; or
- b. The Town Board shall have adopted a local law regulating the construction of solar farms.
- c. The moratorium shall not apply to residential facilities as defined by Section 104 of the Town Zoning Law or other solar energy facilities with a generating capacity of less than 15 Kilowatts.

Section 6. Extension of Moratorium

At the discretion of the Town Board, this moratorium may be extended for at least one (1) additional six (6) month period, after proper notice and a public hearing, to be held within forty-five (45) days prior to the expiration of said moratorium period.

Section 7. Effective Date

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State of New York State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 20 19 of the ~~County~~ ~~City~~ (Town) ~~Village~~ of Mayfield was duly passed by the Mayfield Town Board on July 9, 20 19, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 ☐ ☐ , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

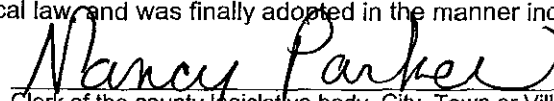
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law and was finally adopted in the manner indicated in paragraph 1 above.



Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

Date: July 9, 2019