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(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.

County  
City  
Town of Hillsdale  
Village

Local Law No. 3 of the year 2016

A local law establishing a moratorium on certain solar energy installations in the Town of Hillsdale

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(Insert Title)

Be it enacted by the Town Board of the

County  
City  
Town of Hillsdale as follows:  
Village

**Section 1. Legislative Findings.**

The Town Board finds that solar energy can provide an environmentally friendly source of sustainable energy to and for the benefit of the residents of the Town of Hillsdale. The Board also finds that there are safety issues associated with the installation and use of solar energy systems, as well as aesthetic impacts associated with the installation and use of such facilities, and the future decommissioning and removal of such facilities.

The Board further finds that the existing provisions under the Town’s Zoning Law do not provide adequately for the review and permitting of solar energy system installations in the Town, and that it is necessary for the protection of the health, safety, and general welfare of the residents of the Town to develop and enact additional regulatory provisions under the Town’s Zoning Law for the installation and use of solar energy installations.

The Board further finds that in order to protect against the negative impacts of such installations on the character of the Town’s community and the public safety of the residents thereof, it is necessary to adopt a moratorium on certain solar energy system installations in the Town pending the development and enactment of further regulations with respect to the same.

**Section 2. Definitions.**

The following definitions are applicable to the provisions of this Local Law:

**BUILDING INTEGRATED PHOTVOLTAIC SYSTEM:** A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other façade material, semitransparent skylight systems, roofing materials, and shading over windows.

**GROUND-MOUNTED SOLAR ENERGY SYSTEM:** A Solar Energy System that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure for the primary purpose of producing electricity for onsite residential consumption.

**LARGE-SCALE SOLAR ENERGY SYSTEM:** A Solar Energy System that produces energy primarily for the purpose of offsite sale or consumption.

**ROOF-MOUNTED SOLAR ENERGY SYSTEM:** A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity for onsite residential consumption.

**SOLAR ENERGY EQUIPMENT:** Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

**SOLAR ENERGY SYSTEM:** An electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment.

**SOLAR PANEL:** A photovoltaic device capable of collecting and converting solar energy into electrical energy.

**Section 3. Moratorium.**

For a period of six months immediately following the effective date of this Local Law, there is hereby imposed a moratorium on the installation of solar energy systems in the Town of Hillsdale, with the exception of:

- a. Ground mounted solar energy systems installed for the primary purpose of producing electricity for onsite residential consumption.
- b. Roof mounted solar energy systems installed for the primary purpose of producing electricity for onsite residential consumption.

During the term of this moratorium, no approvals, processing, permits, actions or decisions shall be made, undertaken, or issued by any Board, body, administrative agency, or official of the Town of Hillsdale with respect to solar energy installations, except as exempted

above. Moratoriums shall apply to all such applications, whether pending or received prior to the effective date of this Local Law.

**Section 4. Enforcement.**

This Local Law shall be enforced by the Zoning Officer and Building Inspector of the Town of Hillsdale.

**Section 5. Supersession.**

To the extent that this Local Law is inconsistent with any State statute or regulation, it is the intent of this Law to supersede any such statute or regulation.

**Section 6. Severability.**

Should any section or provision of this Local Law be declared null, void, voidable, or invalid, such binding shall not affect the validity of the remaining provisions of this Local Law.

**Section 7. Effective Date.**

This Local Law shall take effect in accordance with the provisions of the General Municipal Law.

(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. 3 of 2016 of the (County)(City)(Town)(Village) of Hillsdale was duly passed by the Town Board on \_\_\_\_\_, 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 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

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

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 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_, and (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

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**\*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 \_\_\_\_\_ 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 \_\_\_\_\_, \_\_\_\_\_ 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 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, \_\_\_\_\_, 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

**Kathi Doolan, Town Clerk**

Date: \_\_\_\_\_

(Seal)

\_\_\_\_\_

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature Nelson R. Alford, Jr  
Town Attorney  
Title

County \_\_\_\_\_  
City \_\_\_\_\_  
Town of \_\_\_\_\_ Hillsdale  
Village \_\_\_\_\_

Date: \_\_\_\_\_