

# Local Law Filing

(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.

FILED  
STATE RECORDS

JAN 30 2017

County  
City of BRANT  
Town  
Village

DEPARTMENT OF STATE

Local Law No. 1 of the year 2017

**A local law**

*(Insert Title)* A Local law imposing a temporary moratorium on the issuance of applications & the granting of permits, Licenses or approvals for the siting of Commercial Solar Power Projects in the Town of Brant in order to allow for the adoption appropriate regulations

Be it enacted by the BRANT TOWN BOARD of the

*(Name of Legislative Body)*

County  
City of  
Town  
Village

BRANT

as follows:

\* see last pg. of this packet

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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

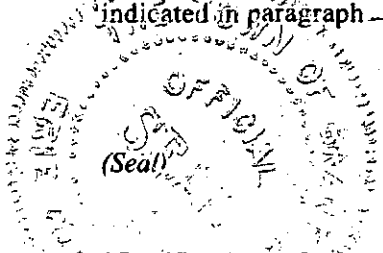
~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 ~~an incorrect transcript~~ a correct transcript thereof and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.



*Bubba Daniel*

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

Date: January 19, 2017

**(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 \_\_\_\_\_

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 \_\_\_\_\_

Title \_\_\_\_\_

County \_\_\_\_\_

City of \_\_\_\_\_

Town \_\_\_\_\_

Village \_\_\_\_\_

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

TOWN OF BRANT

LOCAL LAW NO. 1 OF THE YEAR 2017 AS ADOPTED

A local law imposing a temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for the Siting of Commercial Solar Power Projects in the Town of Brant in order to allow for the adoption of appropriate regulations pertaining to such land uses,

Be it enacted by the Town Board of the Town of Brant ("Town") as follows:

**WHEREAS**, in recent weeks, Brant has received a number of inquiries about siting and locating commercial solar panel installations on lands within the Town of Brant, and

**WHEREAS**, current local laws, ordinances and regulations do not adequately address many of the issues and concerns which must be considered to fairly address the impacts of such uses upon the Town, and

**WHEREAS**, the Town Board has determined that it is necessary to protect the public interest and welfare by imposing a temporary moratorium on new siting, location and establishment of Commercial Solar Power Projects while the Town undertakes a comprehensive review of concerns and issues raised by these uses, and

**WHEREAS**, such moratorium is intended to allow the Town sufficient and necessary time to address such concerns and issues and enact new laws, ordinances or regulations, and/or appropriate amendments to existing laws, ordinances or regulations to properly address community impacts, concerns or issues in a manner which is meaningful and consistent with the Town's comprehensive plan.

**NOW, THEREFORE**, the Town Board of the Town of Brant hereby declares that no new applications shall be issued and no permits or approvals shall be granted by any officer, department, board or agency of the Town of Brant with respect to the siting, location or establishment of Commercial Solar Power Projects within the Town of Brant for a period of six (6) months from the effective date of this local law, unless earlier terminated by other local law, duly adopted.

As used in this law, the term "Commercial Solar Panel Project(s)" shall mean and include, but not be limited to, an array or collection of photovoltaic panels or collectors that convert sunlight to electrical energy and which, together with appurtenant facilities, covers an aggregate area of land greater than 1500 square feet. Residential, business and industrial properties with rooftop solar panel installations which generate electricity solely servicing the property where the rooftop installations are located are exempt from this moratorium as are all municipal and school installations and properties.

This local law is intended to supersede all applicable provisions of the Town of Brant Code, to the extent required to give effect to the provisions hereof for the effective period hereof.

Adopted: January 10, 2017

(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. 1 of 20 17 of the (County)(City)(Town)(Village) of BRANT was duly passed by the BRANT TOWN BOARD on Jan. 10 2017, 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. 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.  
(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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)~~

\* 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.