

# 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.

County  City  Town  Village  
(Select one.)

of Dansville

FILED  
STAT  
JUN 21 2021

DEPARTMENT OF STATE

Local Law No. 4 of the year 2021

A local law A Local Law Imposing a Six-Month Moratorium on Placement of Solar Farms  
(Insert Title)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

County  City  Town  Village  
(Select one.)

of Dansville as follows:

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

(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 2021 of the (County)(City)(Town)(Village) of Dansville was duly passed by the Board of Trustees on June 15 2021, in accordance with the applicable provisions of law.

**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.

**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.

**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.

\* 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.

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

Date: 6/17/2021

(Seal)

JUN 21 2021

Local Law No. 4 of the year 2021

DEPARTMENT OF STATE

**A LOCAL LAW: A LOCAL LAW IMPOSING A SIX-MONTH MORATORIUM ON  
PLACEMENT OF SOLAR FARMS**

Be it enacted by the Board of Trustees of the Village of Dansville as follows:

**Section 1. Title**

This Local Law shall be referred to as the “Local Law Imposing a Six-Month Moratorium on Placement of Solar Farms.”

**Section 2. Purpose and Intent**

Pursuant to the statutory powers vested in the Village of Dansville (“Dansville”) to regulate and control land use and to protect the health, safety and welfare of its residents, the Board of Trustees for the Village of Dansville hereby declares a six-month moratorium on the establishment, placement, construction, enlargement, and erection of solar farms in the Village of Dansville. The integration of these commercial facilities within the Village of Dansville’s existing pattern of predominantly residential and agricultural land use emphasizes the need for suitable siting, land use and zoning standards and controls with reference to solar farms. The Board of Trustees of the Village of Dansville desires to address, in a careful manner, the establishment, placement, construction, enlargement and erection of solar farms on a comprehensive village-wide basis, rather than on an ad hoc basis, and to adopt Land Use Local Law provisions to specifically regulate same.

**Section 3. Scope of Controls**

A. During the effective period of this Local Law:

1. The Board of Trustees of the Village of Dansville shall not grant any approvals that would have as the result the establishment, placement, construction, enlargement, or erection of a solar farm within the Village of Dansville.
2. The Village of Dansville Planning Board shall not grant any preliminary or final approval to a subdivision plat, site plan, special use permit or other permit that would have as a result the establishment, placement, construction, enlargement, or erection of a solar farm within the Village of Dansville.
3. The Village of Dansville Zoning Board of Appeals shall not grant any variance or other permit for any use that would result in the establishment, placement, construction, enlargement, or erection of a solar farm within the Village of Dansville.
4. The Building Inspector/Code Enforcement Officer of the Village of Dansville shall not issue any permit that would result in the establishment, placement,

construction, enlargement, or erection of a solar farm within the Village of Dansville.

- B. The Board of Trustees of the Village of Dansville reserves the right to direct the Village of Dansville Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

#### **Section 4. No Consideration of New Applications**

No applications for construction affected by this Local Law or for approvals for a site plan, subdivision, variance, special use permit or other permits shall be considered by any board officer or agency of the Village of Dansville while the moratorium imposed by this Local Law is in effect.

#### **Section 5. Term**

The moratorium imposed by this Local Law shall be in effect for a period of six months from the effective date of this Local Law.

#### **Section 6. Penalties**

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any solar farm in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall be subject to:

- A. Such penalties as may otherwise be provided by applicable local laws, ordinances, rules, regulations of the Village of Dansville for violations; and
- B. Injunctive relief in favor of the Village of Dansville to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

#### **Section 7. Validity**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

#### **Section 8. Hardship**

- A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Board of Trustees of the Village of Dansville in writing for a variation from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit, site plan, subdivision, or other

permit during the period of the moratorium imposed by this Local Law.

- B. Procedure. Upon submission of a written application to the Village of Dansville Clerk by the property owner seeking a variation of this Local Law, the Board of Trustees shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon five (5) days' written notice in the official newspaper of the Village of Dansville. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Board of Trustees shall, within fifteen (15) days of the close of said Public Hearing, render its decision either granting or denying the application for a variation from the strict requirements of this Local Law. If the Board of Trustees determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Board of Trustees shall vary the application to this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

### **Section 9. Effective Date**

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.