

**TOWN OF RHINEBECK**

**LOCAL LAW NO. \_\_ OF THE YEAR 2019**

**BE IT ENACTED** by the Town Board of the Town of Rhinebeck as follows:

**Section I: Title.**

This Local Law shall be entitled: “A Local Law Amending Chapter 107 of the Town of Rhinebeck Code”.

**Section II: Amendments to the Town Code, Article VII, Chapter 100**

The Town of Rhinebeck Code, Chapter 107 is hereby amended add a new Article V, entitled: “Solar Power Plant PILOT Requirements”/

**§107-18 PILOT Agreement Procedure**

The Town of Rhinebeck, and its Assessor, upon receipt of a notification to the Town Assessor of a property owner’s or developer’s intent to construct a solar power plant pursuant to the provisions of §125-47(1) of the Town Code shall be required to enter into a contract for payments in lieu of taxes (PILOT) that would have been paid had the property not been entitled to an exemption pursuant to the provisions of RPTL §487. The Assessor shall notify the property owner of its intent to require a contract for payment in lieu of taxes within 60 days of receiving the written notification. The terms of such PILOT agreement shall be determined by the Town and its Assessor in the exercise of their sound discretion in consideration of such factors as the size and capacity of such solar facility and shall require annual payments in an amount not to exceed the amount which would otherwise be payable but for the exemption provided pursuant to RPTL §487 for a period of not more than 15 years commencing from the date on which the benefits of such exemption first becomes available and effective.

**Section II: Separability**

Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section IV: Supersession**

This local law is hereby adopted pursuant to the provisions of RPTL §487, §10 of the New York State Municipal Home Rule Law and §10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this Local Law.

**Section V: Effective Date.**

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.