

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 Leyden

FILED
STATE RECORDS

MAY 30 2024

DEPARTMENT OF STATE

Local Law No. 1 of the year 20²⁴

A local law Establishing a Townwide Twelve (12) Month Moratorium for all Large Solar Energy
(Insert Title)
Systems and/or Medium/Large Battery Energy Storage Systems

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

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Leyden

as follows:

See Attached Local Law

(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. 1 of 2024 of the ~~(County)(City)(Town)(Village)~~ of Leyden was duly passed by the Town Board on May 14 2024, 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.)

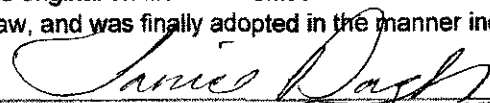
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.)

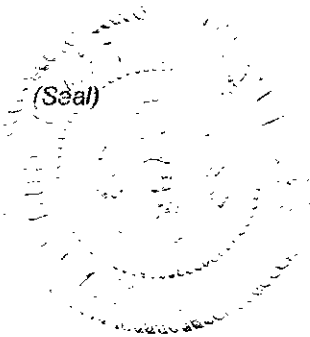
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



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

Date:

5/14/2024



TOWN OF LEYDEN

LOCAL LAW #1 of 2024

Establishing a Townwide Twelve (12) Month Moratorium for all Large Solar Energy Systems and/or Medium/Large Battery Energy Storage Systems

ARTICLE 1 INTENT

Due to clean energy desires and technological changes there is an increased possibility of development of Renewable Energy Facilities within the Town of Leyden. The potential for such development within the Town is not fully addressed by the current zoning laws and/or Solar Energy Systems Local Law. The Town Board, in order to consider, formulate, and potentially amend both the Town of Leyden Laws, and/or uses authorized within the Town and to safeguard the public health, safety and general welfare of its population, determines it to be reasonably necessary to provide a Moratorium for twelve (12) months to perform a review of the same. `

ARTICLE 2 DEFINITIONS

BATTERY ENERGY STORAGE SYSTEMS - One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone twelve-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a small, medium, or large battery energy storage system as follows:

- (1) Small battery energy storage systems have an aggregate energy capacity less than or equal to 200 kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- (2) Medium battery energy storage systems have an aggregate energy capacity greater than 201 kWh to 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area.
- (3) Large battery energy storage systems have an aggregate energy capacity greater than 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area.

PERMIT/APPROVAL - No large solar energy system or medium/large battery energy storage system shall be constructed, reconstructed, modified or operated in the Town of Leyden, except in compliance with the Zoning Law and/or Solar Energy Systems Local Law.

ARTICLE 3 APPLICATION

This Local Law shall apply to all areas within the Town of Leyden.

ARTICLE 4 DURATION

This law shall be in effect for a period of twelve (12) months from the effective date of this Local Law unless sooner terminated by Town Board resolution.

ARTICLE 5 PROHIBITIONS

Neither the Town of Leyden Zoning Enforcement Officer, nor the Zoning Board of Appeals, nor the Town of Leyden Planning Board nor any other individual empowered to administer or enforce the Town Zoning Law or Solar Energy Systems Local Law shall process, review, render any determination, nor grant any variance, or any approval, in respect to any Large Solar Energy System and/or Medium/Large Battery Energy Storage System within the Town during the duration of this Moratorium. No person shall construct a new Large Solar Energy System and/or Medium/Large Battery Storage System activity anywhere within the Town during the duration of this Moratorium unless municipal approval was granted in advance of the effective date of this local law.

ARTICLE 6 ENFORCEMENT

This Local Law shall be enforced by the Town of Leyden Zoning Enforcement Officer or any other individual empowered to administer and/or enforce the Town Zoning Law or Solar Energy Systems Local Law.

ARTICLE 7 VIOLATIONS

Any person violating any provision of this Local Law shall be guilty of an offense, and upon conviction thereof be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250). Each week's continued violation after notice shall constitute a separate and additional violation.

In addition, the Town may seek injunctive relief in a court of competent jurisdiction to prohibit/stop such activities.

ARTICLE 8 SEVERABILITY

Should any portion of this Local Law be declared invalid, such decision shall not affect the validity of the remaining portions of this Local Law.

ARTICLE 9 EFFECTIVE DATE

This Local Law shall become effective after filing in the Office of the NYS Secretary of State.