



Department of State  
Corporations, State Records & UCC

New York State  
Department of State  
DIVISION OF CORPORATIONS,  
STATE RECORDS AND  
UNIFORM COMMERCIAL CODE  
One Commerce Plaza  
99 Washington Ave.  
Albany, NY 12231-0001  
dos.ny.gov

**Local Law Filing**

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 of the year 20 26

Local Law Title: LOCAL LAW IMPOSING A MORATORIUM ON THE ACCEPTANCE OR APPROVAL OF  
APPLICATIONS FOR PERMITS AUTHORIZING THE CONSTRUCTION OR  
EMPLACEMENT OF CERTAIN SOLAR ENERGY SYSTEMS, BATTERY ENERGY  
STORAGE SYSTEMS, AND WIND POWER GENERATING FACILITIES AS  
NON-ACCESSORY USES IN ALL ZONING DISTRICTS

Be it enacted by the TOWN BOARD of the  
*(Name of Legislative Body)*

County     City     Town     Village  
*(Select one)*

of LEWIS (Lewis County) as follows on the attached pages:  
*(Name of Local Government)*

**For Office Use Only**

FILED  
STATE RECORDS

APR 02 2026

DEPARTMENT OF STATE

Department of State Local Law Index Number: 1 of the year 20 26

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

# Local Law Filing

(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 ascribed as local law number 1 of 2026 of the (County)(City)(Town)(Village) of TOWN OF LEWIS was duly passed by the LEWIS TOWN BOARD on March 16 2025 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, ascribed as local law number \_\_\_\_\_ 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 \_\_\_\_\_ (Elective Chief Executive Officer\*) 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, ascribed as local law number \_\_\_\_\_ 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 \_\_\_\_\_ (Elective Chief Executive Officer\*) 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, ascribed as local law number \_\_\_\_\_ 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 \_\_\_\_\_ (Elective Chief Executive Officer\*) 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.

**Local Law Filing**

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

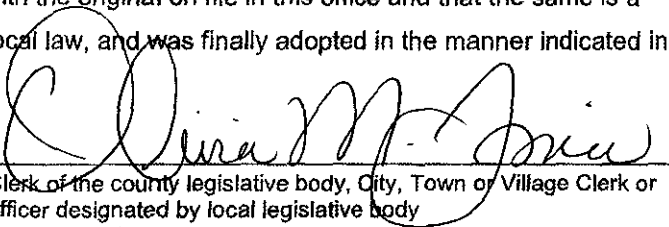
I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of 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 thereto, ascribed as local law number \_\_\_\_\_ 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 the paragraph 1 above.

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

March 24 2026

(Date)

(Seal)

**Be it enacted by the Town Board of the Town of LEWIS as follows:**

**Section 1. Title**

This local law shall be referred to as the "local law imposing a moratorium on the acceptance or approval of applications for permits authorizing the construction or emplacement of certain solar energy systems, battery energy storage systems, and wind power generating facilities as non-accessory uses in all zoning districts."

**Section 2. Definitions**

**BATTERY ENERGY STORAGE SYSTEM:** 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 12-volt car battery or an electric motor vehicle.

1. Battery Energy Storage System, Small: A battery energy storage system that has an aggregate energy capacity less than or equal to 600 kWh and, if in a room or enclosed area, consists of only a single energy storage system technology.
2. Battery Energy Storage System, Large: A battery energy storage system that has an aggregate energy capacity greater than 600 kWh or is comprised of more than one storage battery technology in a room or enclosed area.

**SOLAR COLLECTOR:** A solar photovoltaic cell, panel, array or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

**SOLAR ENERGY EQUIPMENT:** Solar collectors, controls, energy storage devices, heat pumps, heat exchangers/inverters, and other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal, photovoltaic, and passive solar.

**SOLAR ENERGY SYSTEM:** An electrical generating system composed of a combination of both solar panels and solar energy equipment.

1. Solar Energy System, Large: Any solar energy system that cumulatively on a lot meets one of the following provisions:
  - a. Is intended to supply electricity principally into a utility grid for the purpose of off-site sale or consumption, or
  - b. Has a total ground surface area of greater than 4,000 square feet.
2. Solar Energy System, Small: Any roof mounted, building integrated, or ground mounted solar energy system that has an accessory use and cumulatively on a lot meets all of the following provisions:

- a. Is an accessory use or structure designed and intended to generate energy primarily for a principal agricultural, commercial, or residential use located on site.
- b. Has a total ground surface area no greater than 4,000 square feet.

**TOWN:** For the purposes of this local law, the term "Town" shall mean the Town of LEWIS.

**TOWN BOARD, PLANNING BOARD, AND ZONING BOARD OF APPEALS:** For the purposes of this local law, the term "Town Board," "Planning Board," and "Zoning Board of Appeals" shall refer to the respective boards established in and for the Town of LEWIS.

**WIND POWER GENERATING FACILITIES:** Wind generating facilities which generate original power on site to be transferred to a transmission system for distribution to customers. The definition of wind power generating facilities shall not include individual wind power generating facilities erected and used primarily for private use.

### **Section 3. Purpose and Intent**

Pursuant to the statutory powers vested in the Town of LEWIS to regulate and control land use and to protect the health, safety, and welfare of its residents, the Town Board of the Town of LEWIS declares a one year moratorium on the acceptance or approval of applications for permits authorizing the construction or emplacement of solar energy systems, battery energy storage systems, and wind power generating facilities as non-accessory uses in all zoning districts, as well as a moratorium on any activity associated therewith or intending to support such process including the establishment, implementation, placement, or construction of associated infrastructure or similar activity in the Town of LEWIS.

### **Section 4. Legislative Findings**

- A. The Town finds that there may be an increase in the demand for these types of energy and storage systems in the Town and that it may receive a number of new applications for, and inquiries about, the establishment or energy producing and storage activity within the Town.
- B. The question of integrating such energy generating and storage facilities within the Town's existing pattern of predominantly residential, agricultural, and forested land use emphasizes the need for suitable siting, land use standards with reference to energy production facilities, consistent with applicable provisions of this law.
- C. The Town Board of the Town of LEWIS desires to address, in a careful manner, this integration question on a comprehensive Town-wide basis, rather than on an ad hoc basis, and to adopt Local Law provisions to properly regulate the same.

### **Section 5. Scope and Controls**

- A. For the period of one year following the effective date of this local law, no permits requesting approval for non-accessory solar energy systems, battery energy storage systems, and wind

power generating facilities as herein defined shall be accepted or approved by any officer or board of the Town of LEWIS.

**B. During the effective period of this local law:**

1. The Town Planning Board shall not consider and/or approve any site plan, approve any special use permit or other permit authorizing the construction or emplacement of solar energy systems, battery energy storage systems, and wind power generating facilities as herein defined in all zoning districts within the Town.
2. The Town Zoning Board of Appeals shall not consider and/or grant any variance, special use permit or other permit authorizing the construction or emplacement of solar energy systems, battery energy storage systems, or wind power generating facilities as herein defined in all zoning districts within the Town.
3. The Zoning or Codes Enforcement Officer of the Town shall not consider or issue any building permit or other permit authorizing the construction or emplacement of solar energy systems, battery energy storage systems, or wind power generating facilities as herein defined in all zoning districts within the Town.

C. If, within one year, the Town Board adopts a local law relating to the construction or emplacement of solar energy systems, battery energy storage systems, or wind power generating facilities as herein defined, the moratorium imposed by this local law shall expire immediately on the date the local law relating to the construction or emplacement of solar energy systems, battery energy storage systems, or wind power generating facilities as non-accessory uses takes effect in accordance with Section 27 of the Municipal Home Rule Law.

**Section 6. Exceptions**

This local law shall not apply to applications for permits or approvals of small solar energy systems, small battery energy storage systems or wind power generating facilities to be installed as an accessory use or structure to an existing residence, commercial, industrial, or agricultural structure.

**Section 7. Term**

This moratorium shall be subject to renewal for one cumulative period of up to an additional six (6) months, if necessary, by resolution of the Town Board. This moratorium shall be in effect for a period of one year from the date of this local law.

**Section 8. Violations**

Any person violating any of the provisions of this local law shall be guilty of an offense and upon conviction thereof, be given a civil penalty of no less than \$500.00 and no more than \$1,000.00 per day for this violation. Each day's violation shall constitute a separate and additional violation. An action may be commenced in a court of competent jurisdiction to

recover such penalty. In addition, thereto, violations of this Local Law shall be subject to being restrained by injunctive relief.

#### **Section 9. Conflict with Other Laws**

This Local Law is enacted pursuant to the provision of the Town Law and the Municipal Home Rule Law of the State of New York. During the duration of times that this Law is in effect, it shall take precedence over and shall be considered controlling over contrary laws, ordinances, and provisions including, but not limited to, the statutes set forth in the New York Town Law related to zoning and subdivision.

#### **Section 10. Severability**

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgement shall have been rendered.

#### **Section 11. When Effective**

This Local Law shall take effect upon the filing at the New York State Secretary of State's Office.