

Section 1. Legislative Findings.

The Town Board finds that solar energy can provide an environmentally friendly source of sustainable energy. The boards also finds that there are safety issues associated with the installation and use of solar energy systems, as well as aesthetic impacts associated with the installation and use of such facilities, and the future decommissioning and removal of such facilities.

The Board further finds that the existing provisions under the Towns Site Review Law does not provide adequately for the review and permitting of the solar energy system installations in the Town, and that it is necessary for the protection of the health, safety, and general welfare of the residents of the Town to develop and enact additional regulatory provisions under the Town's Site Review Law for the installation and use of solar energy installations.

The Board further finds that in order to protect against the potential negative impacts of such installations of the character of the Town's community and the public safety of the residents thereof, it is necessary to adopt a moratorium on certain solar energy system installations in the Town pending the development and enactment of further regulations with respect to the same.

Section 2. Definitions.

The following definitions are applicable to the provisions of this Local Law;

Large Scale Solar Energy System- Any solar energy systems that cumulatively on a lot meets one of the following provisions:

- a. Is intended to supply energy principally into a utility grid for sale to the general public, or
- b. Has a total ground surface area of greater than 4,000 square feet.

Small Scale Solar Energy System- Any solar energy system that cumulatively on a lot meets all of the following provisions:

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

Solar Energy System- A complete system intended for the collection, inversion, storage and/or distribution of solar energy that is directly or indirectly generates thermal, chemical, electrical or other usable energy. A solar energy system consists of, but is not limited to, solar collectors, mounting devices or structure, generators/turbines, water and energy storage and distribution systems, storage maintenance and/or other accessory buildings, inverters, combiner boxes, meters, transformers and all other mechanical structures.

Section 3. Moratorium.

For a period of 12 months immediately following the effective date of this Local Law, there is hereby imposed a moratorium on the installation of solar energy systems in the Town of Forestport, with the exception of **Small Scale Solar Energy Systems**.

During the term of this moratorium, no approvals or permits shall be made by any Board agency of official of the Town of Forestport with the respect to solar energy installations, except as exempted above, Moratoriums shall apply to all such applications, whether pending or received prior to the effective date of this Local Law.

Section 4. Enforcement.

This Local Law shall be enforced by the Code Enforcement Officer of the Town of Forestport.

Section 5. Supersession.

To the extent that this Local Law is inconsistent with any State statute or regulation, it is the intent of this Law to supersede any such statute or regulation.

Section 6. Severability.

Should any section or provision of this Local Law be declared null, void, voidable, or invalid, such binding shall not affect the validity of the remaining provisions of this Local Law.

Section 7. Effective Date.

This Local Law shall take effect in accordance with the provisions of the General Municipal Law.