

SET PUBLIC HEARING – LOCAL LAW NO. _____-2018

RESOLUTION TO SET PUBLIC HEARING TO ADOPT A LOCAL LAW TO AMEND THE RICHMOND TOWN CODE AT PART II “GENERAL LEGISLATION,” CHAPTER 194 “COMMERCIAL SOLAR USE MORATORIUM,” SECTION B “MORATORIUM” TO EXTEND THE COMMERCIAL SOLAR USE MORATORIUM TO DECEMBER 31, 2018

WHEREAS, the Town Board seeks to amend the Richmond Town Code at Part II “General Legislation,” Chapter 194 “Commercial Solar Use Moratorium,” Section B “Moratorium” to extend the existing ban on all Commercial Solar Uses to December 31, 2018 while the Town examines and studies the impacts of the development of said use and considers legislation to address potential concerns; and

WHEREAS, the Town Board seeks to have a Public Hearing to obtain public input; and now, therefore, be it

RESOLVED, that the Town Board of the Town of Richmond seeks to hold a Public Hearing to obtain public input as it considers the following proposed local law to amend the Richmond Town Code at Part II “General Legislation,” Chapter 194 “Commercial Solar Use Moratorium,” Section B “Moratorium” to extend the existing ban on all Commercial Solar Uses to December 31, 2018 while the Town continues to examine and study the impacts of the development of said Uses and considers legislation to address potential concerns; and be it

RESOLVED, by the Town Board of the Town of Richmond that a Public Hearing shall be had on the 27th day of February, 2018, at 7:00 p.m., for the purpose of hearing comments on a Local Law continuing the ban on Commercial Solar Uses to December 31, 2018 while the Town continues to examine and study the impact of development of said Uses and considers legislation to address potential concerns.

LOCAL LAW TO AMEND THE RICHMOND TOWN CODE AT PART II “GENERAL LEGISLATION,” CHAPTER 194 “COMMERCIAL SOLAR USE MORATORIUM,” SECTION B “MORATORIUM” TO EXTEND THE COMMERCIAL SOLAR USE MORATORIUM TO DECEMBER 31, 2018

Section I. Authorization

This local law is enacted pursuant to the provisions of New York’s Town Law and Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. ____-2018 and shall be referred to as the “Local Law Extending Moratorium on Commercial Solar Uses in the Town of Richmond”

Section III. Legislative Finding

The Town Board enacted a moratorium on Commercial Solar Uses to preserve the ability to deliberately review the issues and concerns related to said uses and to provide the Town time to determine whether permanent comprehensive local legislation is necessary and in the best interest of the Town. The Town Board has not completed its review and seeks additional time to

continue to study commercial solar uses and evaluate their impact on the environment during an additional moratorium period.

Section IV. Amendment.

Part II of the Richmond Town Code, "General Legislation," Chapter 194 "Commercial Solar Use Moratorium," Section B "Moratorium" shall be amended to read as follows:

- B. Moratorium. There shall be a moratorium banning Commercial Solar Use in the Town until December 31, 2018 and until that date no person shall engage in any activity which would result in the establishment, implementation, placement or construction of a Commercial Solar Use, including any activity associated therewith or intended to support such Use and the Town Board, Planning Board, Zoning Board of Appeals and the Code Enforcement Officer shall not accept, process, interpret, or approve any applications for permits, certificates or approvals for Commercial Solar Uses, except after a Hardship Waiver has been granted.

Section V. Validity and Severability

Should the removal of any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Richmond which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect.

Section VII. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State and will be in effect until December 31, 2018.