

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 Clay

FILED
STATE RECORDS

AUG 25 2020

DEPARTMENT OF STATE

Local Law No. 3 of the year 2020

A local law to enact a one year moratorium prohibiting the application or approval of any new
(Insert Title)
commercial solar utility substations within the Town of Clay.

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

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

of Clay 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. 3 of 2020 of the ~~(County)(City)~~(Town)(Village) of Clay was duly passed by the Town Board on July 20 2020, 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 _____ 2020, 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 (Elective Chief Executive Officer*)
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, 1 above.

Fin Hageman Clerk

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

Date: 8/19/2020

(Seal)

TOWN OF CLAY

LOCAL LAW NO. 3 OF 2020

A LOCAL LAW titled Town of Clay Local Law No. 3 of 2020 and known as the “Temporary Moratorium for Commercial Solar Utility Substations for the Town of Clay.”

IT IS HEREBY ORDAINED AND ENACTED by the Town Board of the Town of Clay, Onondaga County, New York, as follows:

That Town of Clay Local Law No. 3 of 2020 titled “Temporary Moratorium for Commercial Solar Utility Substations” is hereby adopted to enact a one year moratorium prohibiting the application or approval of any new commercial solar utility substations within the Town of Clay.

The purpose of said local law is to provide for a temporary moratorium against the consideration of any and all applications for solar utility substations, building permits, and other development as yet unpermitted commercial solar energy related requests to allow time for the Town Board to further investigate and study issues related to the development of the Town’s commercial solar policy within defined corridors or areas of the Town, and for the receipt and implementation of formal recommendations for corresponding changes to the Town Code, laws, rules or policy. This temporary moratorium may be further extended or terminated by the Town Board and it contains a hardship exemption and procedure. This law does not apply to existing permitted uses, nor does it apply to individual residential solar installations.

Said local law reads as follows:

LOCAL LAW

Town of Clay Local Law No. 3 of 2020 is hereby enacted, providing for a Temporary Moratorium, for a period of one year after the date of filing of this Local Law.

SECTION 1. *PURPOSE*

The purpose of said local law provides for a Temporary Moratorium for one year after the date of the filing of this Local Law.

SECTION 2. *TIME PERIOD AND PROHIBITION*

- A. As of the effective date of this local law there will be a one year moratorium within the Town of Clay.

SECTION 3. *EFFECTIVE DATE*

This Local Law shall take effect immediately upon filing with the Secretary of State.

SECTION 4. *TERMINATION DATE*

This local law shall become null and void one year after filing, unless extended or terminated by the Town Board. The proposed moratorium may be extended, or terminated at any earlier period, by the Town Board.