

A Local Law Establishing a Six-Month MORATORIUM ON Applications, Approvals, and/or Construction or Installation on Solar Energy Systems/ and or Solar Farms

SECTION 1. TITLE

This law shall be known as Local Law No. 3 of the Year 2021 entitled "A Local Law Establishing a Six-Month MORATORIUM ON Applications, Approvals, and/or Construction or Installation on Solar Energy Systems/ and or Solar Farms".

SECTION 2. PURPOSE

The purpose of this Local Law is to amend the Code to place a six (6) month moratorium on the processing, permitting and/or construction of ground mounted solar panels and solar farms within the City of North Tonawanda to allow time for the drafting and adoption of a Solar Code of the City of North Tonawanda affecting these types of uses. This time will give the City Council the ability to complete all reasonable and necessary review, study analysis and, if warranted, revision to the City of North Tonawanda Zoning Code as may be necessary to promote and preserve the health, safety and welfare of the City of North Tonawanda and its citizens.

SECTION 3. TERM

This moratorium shall be in effect for a period of six (6) consecutive months from its effective date. This term may be extended for a cumulative period of up to an additional six (6) months, if necessary, by resolutions of the City Council.

SECTION 4. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof of this Local Law is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 5. EFFECT ON OTHER LAWS

To the extent that any law, ordinance rule or regulation, or parts thereof are in conflict with the provisions of this Local Law, including General City Law 27 concerning special use permit, site plan, building permit, and certificate of occupancy procedure and requirements, this Local Law shall control and supersede such law, ordinance, rule or regulation. Any provision of any local law requiring prior review by any City of North Tonawanda advisory board, including without limitation, the City of North Tonawanda Planning Board and Zoning Board, shall not be applicable to this Local Law.

SECTION 6. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State. On enactment of this Local Law, the Moratorium shall remain in place for a six (6) month time period commencing with its effective date. This six (6) month time period may be extended by the Town Board by adoption of a Resolution for this purpose.