

TOWN OF MACHIAS

LOCAL LAW NO. 1-2022

**SIX-MONTH MORATORIUM ON APPROVAL OF
SOLAR FARMS IN THE TOWN OF MACHIAS**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF MACHIAS AS FOLLOWS:

SECTION 1. TITLE.

This Local Law shall be known as Local Law No. 1-2022 and entitled “Six-Month Moratorium on the approval of Solar Farms in the Town of Machias.”

SECTION 2. PURPOSE AND INTENT.

Pursuant to the statutory powers vested in the Town of Machias to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Machias hereby declares a six-month moratorium on the approval of Solar Farms for construction in the Town. The Town has received prior applications for Solar Farm approval for construction on property within the Town. The integration of Solar Farms within the Town’s existing residential and agricultural land use emphasizes the need for suitable siting, regulation and control. The Town Board of the Town of Machias desires to address, in a careful manner, the existing provisions of a Local Law for the approval of Solar Farms within the Town of Machias.

SECTION 3. SCOPE OF CONTROLS.

(a) During the effective period of this Local Law:

1. The Town of Machias shall not grant any approvals for Solar Farms for construction within the Town.
2. The Code Enforcement Officer of the Town of Machias shall not issue any permit that would result in the approval of a Solar Farm within the Town.

(b) The Town Board of the Town of Machias reserves the right to direct the Code Enforcement Officer of the Town of Machias to revoke or rescind any Permits or Certificates approving a Solar Farm issued in violation of this Local Law.

SECTION 4. NO CONSIDERATION OF NEW APPLICATIONS.

No applications for approval of Solar Farms affected by this Local Law shall be considered by any Board Officer or agency of the Town of Machias while the moratorium imposed by this Local Law is in effect.

SECTION 5. TERM.

The moratorium imposed by this Local Law shall be in effect for a period of six months from the effective date of this Local Law.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately when it is filed with the office of the New York State Secretary of State in accordance with §27 of the Municipal Home Rule Law.

DULY ADOPTED, this 19th day of September, 2022, by the following vote:

Supervisor Cornwall	Voted <u>Aye</u> _____
Councilman Shenk	Voted <u>Aye</u> _____
Councilman Reese	Voted <u>Aye</u> _____
Councilman Green	Voted <u>Aye</u> _____
Councilman Bork	Voted <u>Aye</u> _____