

TOWN OF AMSTERDAM

PROPOSED LOCAL LAW NO. 7 OF 2024 TO AMEND OUR LOCAL LAW NO. 5 OF 2024 WHICH IMPOSED A FOUR MONTH MORATORIUM ON APPLICATIONS FOR PERMITS, SITE PLANS, OR OTHER LAND USE APPROVALS FOR INSTALLATION OF SOLAR ENERGY FACILITIES AND SOLAR ENERGY SYSTEMS

Section 1. Legislative Intent

It is the intent of this local law to amend the Local Law No. 5, 2024, dated September 18, 2024, which imposed a four month moratorium on applications for permits, site plans, or other land use approvals for installation of solar energy facilities and solar energy systems so as to provide an additional 3 month moratorium. It is further intended to continue to protect the public health, safety and welfare of the citizens of the Town of Amsterdam.

Section 2. Authority

This local law is adopted by the Town Board of Town of Amsterdam (hereinafter referred to as the “Town Board”) pursuant to its authority to adopt local laws under Article IX of the New York State Constitution; Articles 2 and 3 of the Municipal Home Rule Law; Article I of the Town Zoning Law, particularly Section 2 which authorize the Town to adopt zoning provisions that promote health and general welfare, encourage the most appropriate use of land throughout the Town, encourage development in accord with a comprehensive plan and professional planning techniques, and improve the quality of life throughout the Town; and Section 35.A.1. of Article VIII “to balance the benefits of solar energy collection with the unique characteristics of each site, and prevent potential impacts on neighboring properties.”

Section 3. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Section 5. Amendment

Local Law No. 5 of 2024, dated September 18, 2024 hereby amended by extending the moratorium an additional three (3) months.

It is further amended to authorize the Town Board to further extend the moratorium by resolution, local law or any other lawful means in order to protect the public health, safety and welfare of the citizens of the Town of Amsterdam.

Dated: November 20, 2024