

A Local Law Establishing a Six-Month MORATORIUM ON New 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. 1 of the Year 2024 entitled “A Local Law Establishing a Six-Month Moratorium On New 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 Town of Lewiston to allow time for the research, development and adoption of a Solar Overlay to the Town of Lewiston Zoning Code together with any appropriate amendments to the Town of Lewiston Solar Code which regulates these types of uses. This time will give the Town Board the ability to complete all reasonable and necessary review, study analysis and, if warranted, revision to the Town of Lewiston Zoning Code as may be necessary to promote and preserve the health, safety and welfare of the Town of Lewiston and its residents.

SECTION 3. EXEMPTIONS: This Law shall not apply to any solar project previously approved by the Lewiston Town Board or any application for a solar energy system/solar farm in the I-1 Zoning District.

SECTION 4. 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 additional periods not to exceed six (6) month each, if necessary, by resolutions of the Town of Lewiston Town Board.

SECTION 5. 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 6. 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, this Local Law shall control and supersede such law, ordinance, rule or regulation. Any provision of any local law requiring prior review by any Town of Lewiston advisory board, including without limitation, the Town of Lewiston Planning Board and Zoning Board, shall not be applicable to this Local Law.

SECTION 7. 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.