

TOWN OF COLDEN

LOCAL LAW INTRO. NO. 01 -2016

LOCAL LAW 01 -2016

A LOCAL LAW TO AMEND LOCAL LAW 1-1984 "ADOPTION OF CODE", ADOPTED BY THE TOWN OF COLDEN ON DECEMBER 29, 1984, TO ESTABLISH A MORATORIUM ON THE USE OF LAND FOR COMMERCIAL SOLAR POWER PROJECTS IN THE TOWN OF COLDEN.

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

SECTION 1. LEGISLATIVE INTENT

This Local Law amends Local Law 1-1984, known as "Adoption of Code", adopted by the Town Board of the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Colden as herein set forth.

SECTION 2. PURPOSE

The Town Board of the Town of Colden has under review regulation in regard to commercial solar power projects within the Town of Colden. At the present, there are no Town restrictions or regulations in regard to the use of land within the Town for commercial solar power projects. The Town Board finds that the commercial use of solar power projects requires a

moratorium intended to allow for regulations and/or appropriate amendments to existing laws or regulations to properly address community impacts, concerns or issues in a manner which is meaningful and consistent with the Town's comprehensive plan.

SECTION 3. AUTHORITY

This Local Law is enacted pursuant to the provisions of Article 16 of the New York Town Law and Section 10 of the New York Municipal Home Rule Law.

SECTION 4. MORATORIUM

The Town Board of the Town of Colden hereby declares that no new applications shall be issued and no new permits or approvals shall be granted by any officer, department, board or agency of the Town of Colden with respect to the siting, location or establishment of commercial solar power projects within the Town of Colden for a period of six months from the effective date of this Local Law, unless terminated by other Local Law, duly adopted.

SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 6. EFFECTIVE DATE

This Local Law shall become effective immediately upon the adoption by the Town of Colden Town Board and filing with the New York Secretary of State.