

DRAFT

LOCAL LAW NO. 3 OF 2024 EXTENDING THE MORATORIUM ON MAJOR SOLAR COLLECTION SYSTEMS IN THE TOWN OF SARATOGA

NOW, THEREFORE, BE IT ENACTED BY THE SARATOGA TOWN BOARD AS FOLLOWS:

1. Legislative Findings: The Town of Saratoga is currently undertaking a study of the effects and suitability of establishing a land use regulatory scheme regarding construction of major solar collection systems in the Town of Saratoga. The Town Board is of the opinion that a period of time is needed in order to adequately review, study and plan for such a land use regulation. This Local Law is adopted pursuant to Municipal Home Rule Law §10.

The Town Board previously imposed a six-month Moratorium on the construction of major solar collection systems from April 8, 2024 until October 8, 2024, by adoption of Local Law No. 1 of 2024. A draft Local Law is currently being prepared to regulate issues presented by development of major solar collections systems. However, the Board has determined that additional time is needed for its review of proposed regulations, finalization of a draft Local Law and compliance with statutory procedural requirements to ensure that regulations governing major solar collection systems adequately protect the public health, safety and welfare of the citizens of the Town.

2. Moratorium Extension: The Saratoga Town Board hereby extends the Moratorium on the construction of major solar collection systems, as defined below, in the Town of Saratoga from the expiration of the current Moratorium until April 8, 2025. During the pendency of this Moratorium there shall be no permits issued nor applications considered by the Town, its Officials, Boards or Departments for the construction, installation or use of major solar collection systems. This Moratorium shall continue to affect all major solar collection systems that did not have Planning Board preliminary approval and a negative declaration adopted pursuant the NYS Environmental Quality Review Act as of April 8, 2024.

3. Definition: For purposes of this temporary Moratorium, a **Major Solar Collection System** shall be defined as follow:

A major solar collection system is the use of land for a large-scale installation of solar energy collection apparatus for a commercial or institutional purpose or entity.

4. Termination: This Moratorium may be terminated earlier than April 8, 2025 upon enactment of local legislation governing major solar collection systems.

5. Severability: The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

6. Effective Date: This Local Law shall take effect immediately.