



Department of State  
Corporations, State Records & UCC

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New York State  
Department of State  
DIVISION OF CORPORATIONS,  
STATE RECORDS AND  
UNIFORM COMMERCIAL CODE  
One Commerce Plaza  
99 Washington Ave.  
Albany, NY 12231-0001  
dos.ny.gov

**Local Law Filing**

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 of the year 20 25

Local Law Title: A local law to establish and impose a one (1) year Moratorium on  
Commercial Renewable Energy Systems within the Town of Mexico.

Be it enacted by the Town Board of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one)

of Mexico as follows on the attached pages:  
(Name of Local Government)

**For Office Use Only**

Department of State Local Law Index Number: \_\_\_\_\_ of the year 20 \_\_\_\_

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

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## SECTION 1: LEGISLATIVE INTENT

The Town of Mexico presently has in effect a Town Zoning Ordinance which has established regulations for building, construction and allowable uses within the Town. The Town Board is of the opinion that a period of time is necessary to adequately review the current regulations concerning Commercial Renewable Energy Systems, and to determine whether additional local regulations are necessary in order to preserve and protect health, safety and welfare of its residents. Such Commercial Renewable Energy Systems can be large, obtrusive, and can and may pose a hazard and danger to residents by distraction, obstruction and the power supply systems involved with such installations that may pose a risk. This moratorium will enable town officials to review and comprehensively address the issues involved with Commercial Renewable Energy Systems that are becoming increasingly popular in our rural community. The Town recognizes the potential benefits and desirability of solar power and renewable energy sources, but determines time and research is necessary to determine how to properly regulate the installations. The Supervisor and Town Board deem this moratorium emergent and immediately necessary for the Town.

## SECTION 2: DEFINITIONS

Commercial Renewable Energy Systems -

- Utilize renewable resources like solar, wind, and biomass for energy production.
- Designed for large-scale applications to supply power to businesses and communities.
- Reduce greenhouse gas emissions and dependence on fossil fuels.
- Often integrated with existing energy infrastructure for efficiency.
- Can include energy storage solutions to manage supply and demand.
- Support sustainability goals and enhance energy security for enterprises.

Commercial Renewable Energy Systems include the following components:

1. Solar panels for harnessing sunlight and converting it into electricity.
2. Wind turbines for generating power from wind energy.
3. Biomass systems that convert organic materials into usable energy.
4. Hydroelectric systems that utilize flowing water to produce electricity.
5. Geothermal systems that tap into the Earth's heat for energy generation.
6. Energy storage solutions, like batteries, to store generated energy for later use.

## SECTION 3: MORATORIUM

- A. The Town Board hereby enacts a moratorium which shall prohibit Commercial Renewable Energy Systems anywhere within the Town of Mexico.
- B. This moratorium shall be in effect for a period of one (1) year from the effective date of this local law and shall expire on the earlier of (i) the date one (1) year from said effective date, unless renewed; or (ii) the enactment by the Town Board of a resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists. This Local Law shall be subject to renewal for an additional six (6) months, if necessary, by Resolution(s) of the Town Board.

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- C. This moratorium shall apply to all zoning districts and all real property within the Town.
- D. Pursuant to this moratorium, applications that have been submitted to the Town through the Planning Board / Code Enforcement Officer shall continue to be processed but the Town shall not grant any preliminary or final approval for any site plan or special use permit which includes Commercial Renewable Energy System installation as part of the application.
- E. Commercial Renewable Energy Systems that have been previously approved are expressly excluded from this moratorium

#### SECTION 4: RELIEF FROM PROVISIONS OF THIS LOCAL LAW

- A. If any owner of property within the Town seeks relief from this moratorium to enable such owner to apply for or seek continued review of, activities otherwise prohibited under this moratorium, such owner shall make application to the Zoning Board of Appeals.
- B. It shall be the burden of the owner for such relief to demonstrate to the satisfaction of the Zoning Board of Appeals, upon clear and convincing evidence, that an unjust result and extraordinary financial hardship will occur to the property owner if such relief is not granted and such showing must demonstrate that the proposed activity for which relief is sought shall be consistent with the reasonable and orderly development of the Town.
- C. Such relief shall be the subject of a Public Hearing before said Zoning Board of Appeals.
- D. It shall be within the discretion of the Zoning Board of Appeals to grant, in whole or in part, or deny, the application for such relief from the terms of this moratorium.

#### SECTION 5: PENALTIES

Any person, partnership, association, corporation, landowner, lessee or licensee which shall construct, reconstruct, relocate, enlarge or modify any site to be used for a Commercial Renewable Energy System in violation of the provisions of this local law, shall be subject to:

- A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) per individual and not exceeding Five Thousand and 00/100 Dollars (\$5,000.00) as to a corporation partnership or association, or imprisonment for a term not to exceed thirty (30) days, or both;
- B. A civil action inclusive of injunctive relief in favor of the Town to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violations of this local law.



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#### SECTION 6: ENFORCEMENT

This local law shall be enforced by the Zoning Enforcement Officer of the Town of Mexico or such other zoning enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this local law.

#### SECTION 7: VALIDITY & SEVERABILITY

If any section or part of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this local law.

#### SECTION 8: EFFECTIVE DATE

This local law shall take effect immediately upon passage and thereafter filed with the New York State Department of State and shall remain in force and effect for a period of one (1) year from the date of passage.

## Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

### 1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 1 of 20 25 of the ~~(County)(City)(Town)(Village)~~ of Mexico was duly passed by the Town Board on 20 25 in accordance with the applicable provisions of law.

### ~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

### ~~3. (Final adoption by referendum.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

### ~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

## Local Law Filing

### ~~5. (City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_ became operative.

### ~~6. (County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed thereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph \_\_\_\_\_ 1 \_\_\_\_\_ above.

(Seal)

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
Nicole Wild, Town Clerk

\_\_\_\_\_  
(Date)