

***Village of Canton, New York
Local Law #1 of the Year 2021***

***Establishing a Six (6) Months Moratorium on the
Development of Solar Energy Systems and Battery Energy Storage Systems
in the Village of Canton, New York***

WHEREAS, New York Municipal Home Rule Law permits the adoption of local laws by a village in furtherance of the health, safety, and welfare of its residents; and

WHEREAS, the Village of Canton, New York is undertaking revisions to its existing zoning regulations and intends to enact comprehensive new zoning regulations in the Village. There are currently no regulations governing solar energy system development or battery energy storage system development within the Village of Canton. The Village of Canton Board of Trustees believes that a temporary moratorium on the development of solar energy systems and battery energy storage systems in the Village will protect the public interest and the welfare of Village residents until zoning regulations pertaining to such development are adopted.

NOW, THEREFORE, be it enacted by the Board of Trustees of the Village of Canton, New York, as follows:

1. There is hereby placed a moratorium on all solar energy system development and upon all battery energy storage system development, as herein defined, in the Village of Canton, New York. During the duration of this moratorium, no person or entity shall construct or establish any solar energy system or battery energy storage system within the Village of Canton, New York. This local law shall apply to all areas within the Village of Canton, New York, and shall be in effect through September 30, 2021.
2. For the purpose of this local law:
 - a. *Solar energy system*” shall mean an electrical generating system composed of a combination of both solar panels and solar energy equipment. A solar panel is a photovoltaic device capable of collecting and converting solar energy into electrical energy. Solar energy equipment shall mean electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production and/or transmission of electrical energy. Nothing herein shall prevent solar panel and solar energy equipment located on the roof of or within any legally permitted building or structure, or a ground mounted solar energy system of 10 kWh or less located only in the rear yard of any legally permitted building or structure, for the purpose of producing electricity primarily for on-site consumption.
 - b. *“Battery energy storage system”* shall mean one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, but shall not include a stand-alone household battery storage system, a 12-volt car battery, or an electric motor vehicle. Nothing herein shall prevent energy storage system equipment located on or within any legally permitted building or structure for the purpose of storing electricity primarily for on-site consumption.

- c. Nothing herein shall prohibit a licensed load serving entity from conducting its regular and usual business of providing electrical distribution within its service territory as defined by its tariff with the New York State Department of Public Service.
- 3. This local law shall take effect upon its filing with the Secretary of State of the State of New York.