

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of Chaumont

**FILED**  
**STATE RECORDS**  
**JUN 18 2019**  
**DEPARTMENT OF STATE**

Local Law No. 1 of the year 2019

A local law Moratorium for Solar Energy Law  
(Insert Title)

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

County  City  Town  Village  
(Select one.)

of Chaumont as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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, designated as local law No. 1 of 2019 of the ~~(County)(City)(Town)~~ (Village) of Chaumont was duly passed by the Village Board on June 18 2019, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**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, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

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, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (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\*)*

\* 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.

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

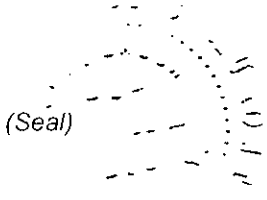
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 hereto, designated as local law No. \_\_\_\_\_ 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 paragraph 1 above.



*Patricia E. Fitzgerald*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 6/18/19

# Village of Chaumont

12175 US Route 12E  
PO Box 297  
Chaumont, New York 13622

## **LOCAL LAW # 1 of 2019** **Establishing Village Wide** **Moratorium for Solar Energy Law**

**WHEREAS**, the New York Municipal Home Rule Law permits the adoption of Local Laws by a Village in furtherance of the health, safety, and welfare of the residents of the Village; and

**WHEREAS**, the Village Board of the Village of Chaumont believes that it is in the best interests of the residents of the Village of Chaumont to proceed as follows.

**NOW THEREFORE BE IT ENACTED BY** the Village Board of the Village of Chaumont, New York as follows:

### **ARTICLE 1 – INTENT**

Due to clean energy desires and technological changes there is an increased probability of development of Solar Energy Facilities within the Village. For these purposes, Solar Energy Facilities are mechanical devices which generate electricity from the Sun by the use of solar panels, including any inverter, conduit, cables, wires and device(s) accessory to the same. The potential for such development was not fully contemplated when the Village of Chaumont adopted its Zoning. This Village Board, in order to consider, formulate, and potentially amend both the Village of Chaumont Zoning Laws to provide for orderly development of Solar Energy Facilities in the Village of Chaumont, and to ensure the public health, safety, and general welfare of its population, determines it to be reasonably necessary to provide a moratorium to perform a review of the same.

### **ARTICLE 2 – APPLICATION**

This Local Law shall apply to all area within the Village of Chaumont.

### **ARTICLE 3 – DURATION**

This Law shall be in effect for a period of three (3) months from the effective date of this Local Law.

**ARTICLE 4 – PROHIBITIONS**

Neither the Village of Chaumont Zoning Board of Appeals nor the Village of Chaumont Planning Board shall process, review, render any determination, nor grant any variance or approval of any kind, in respect to any Solar Energy Facility during the duration of this moratorium. No person shall construct a new Solar Energy Facility or establish a Solar Energy Facility activity anywhere within the Village of Chaumont during the duration of this moratorium.

**ARTICLE 5 – ENFORCEMENT**

This Local Law shall be enforced by the Village of Chaumont Zoning and Code Enforcement Officer.

**ARTICLE 6 – VIOLATIONS**

Any person violating any provision of this Local Law shall be guilty of an offense and upon conviction thereof be punishable by a fine not exceeding Two Hundred Fifty Dollars (\$250) or imprisonment for a period not to exceed fifteen (15) days or both. However, for the purpose of conferring jurisdiction upon Courts and Judicial Officers generally, violations of this Local Law shall be deemed misdemeanors and for such purpose only, all provision of law related to misdemeanors shall apply to such violation. Each weeks continued violation after notice shall constitute a separate and additional violation.

**ARTICLE 7 – SEVERABILITY**

Should any portion of this Local Law be declared invalid, such decision shall not affect the validity of the remaining portions of this Local Law.

**ARTICLE 8 – EFFECTIVE DATE**

This Local Law shall become effective after filing in the Office of the Secretary of State of the State of New York.