

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 Medina

FILED
STATE RECORDS

DEC 20 2016

Local Law No. 4 of the year 2016

DEPARTMENT OF STATE

A local law "Amendment to the Code of the Village of Medina Placing a Six Month Moratorium
(Insert Title)
on the Installation of Solar Equipment and Systems in the Village"

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

County City Town Village
(Select one.)

of Medina

as follows:

SEE ATTACHED.

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

SECTION 1. TITLE

This law shall be known as Local Law No. 4 of the Year 2016 entitled "Amendment to the Code of the Village of Medina Placing a Six Month Moratorium on the Installation of Solar Equipment and Systems in the Village".

SECTION 2. PURPOSE

The purpose of this Local Law is to amend the Code to place a six (6) month moratorium on the processing, permitting and/or construction of all solar panels and solar farms within the Village to allow time for the drafting and adoption of amendments to the Code of the Village of Medina affecting these types of uses. These amendments, among other things, will amend the location where roof and ground mounted solar panels and solar farms may be allowed, set design requirements and such other regulations as may be necessary to promote and preserve the health, safety and welfare of the Village of Medina and its citizens.

SECTION 3. AMENDMENT OF PRIOR LAW

1. The Code of the Village of Medina is further amended as follows:

"For the period commencing on the effective date of this Local Law No. 4 of the Year 2016, and for six (6) months thereafter, there shall be a moratorium on the processing, approval, and/or construction of roof and ground mounted solar panels and solar farms within the Village of Medina. During this Moratorium, the Planning Board, will draft these new regulations for presentation to the Village Board for potential adoption, and periodic reports on the drafting of these regulations, will be given to the Village Board to illustrate progress and to receive input from the Village Board"

SECTION 4. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof of this Local Law is, for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 5. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State. On enactment of this Local Law, the Moratorium shall remain in place for a six (6) month time period commencing with its effective date. This six (6) month time period may be extended by the Village Board by adoption of a Resolution for this purpose.

SECTION 6. GRANDFATHER CLAUSE

The enactment of this Moratorium, will affect any new application received on or after October 24, 2016. Any application received prior to this date will be "grandfathered" from this Moratorium and will be processed under the existing regulations. Any application received on or after this date will not be processed, and no approvals or permits will be issued.

This Moratorium will not affect the requirement for any necessary repairs needed to be made to any existing solar panels. However, existing roof and ground mounted solar panels that need to be modified in such a way that would require a permit and/or approval from the Village, will be included under this Moratorium.

(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. 4 of 2016 of the ~~(County)(City)(Town)~~(Village) of Medina Village Board on November 28 2016, 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, 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) (repassed after disapproval) by the _____ and was deemed duly adopted 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) (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, 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) (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.

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

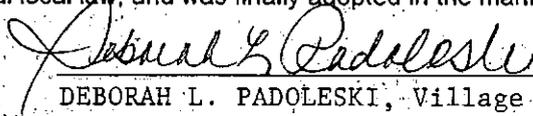
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



DEBORAH L. PADOLESKI, Village Clerk

(Seal)

Date: November 28, 2016