New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

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 Almond

Local Law No. 1 **of the year 20**26

A local law TEMPORARY MORATORIUN ON WIND ENERGY FACILITIES, BATTERY ENERGY
(Insert Title)
STORAGE SYSTEMS AND SOLAR ENERGY FACILITIES LOCAL LAW OF THE
TOWN OF ALMOND

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

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

of Almond **as follows:**

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 2026 of the ~~(County)(City)~~(Town)~~(Village)~~ of Almond was duly passed by the Town Council on October 20 2026, in accordance with the applicable
(Name of Legislative Body)
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)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20[ ][ ], in accordance w ith 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
(Elective Chief Executive Officer)*
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 _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 10/22/2026

FILED
STATE RECORDS
OCT 28 2026
DEPARTMENT OF STATE
LOCAL LAWS INDEX NUMBER 1
OF THE YEAR 2026

TOWN OF ALMOND, NEW YORK

LOCAL LAW NO. 1 OF 2026

A LOCAL LAW ESTABLISHING A TEMPORARY LAND USE MORATORIUM ON WIND ENERGY FACILITIES, BATTERY ENERGY STORAGE SYSTEMS (BESS) AND SOLAR ENERGY FACILITIES

SECTION 1. TITLE

This Local Law shall be known as the "Temporary Moratorium on Wind Energy Facilities, Battery Energy Storage Systems and Solar Energy Facilities Local Law of the Town of Almond."

SECTION 2. LEGISLATIVE FINDINGS AND PURPOSE

The Town Board of the Town of Almond finds that:

A. The Town is currently reviewing its zoning regulations and land use policies relating to large-scale renewable energy projects, battery energy storage systems and wind energy facilities

B. Advances in technology and increasing development interest have created land use, environmental, public safety, emergency response, infrastructure, noise, visual, and community character concerns that are not adequately addressed by the Town's existing land use regulations.

C. The Town Board has determined that additional time is necessary to study, develop, and adopt appropriate regulations governing the siting, construction, operation, maintenance, decommissioning, and abandonment of such facilities.

D. During this review period, applications for such developments could undermine the Town's planning efforts and result in projects that are inconsistent with future regulations.

E. The Town Board therefore finds that a temporary moratorium is necessary to protect the health, safety, and welfare of Town residents while the Town completes its review and adopts appropriate regulations.

SECTION 3. DEFINITIONS

For purposes of this Local Law:

A. Wind Energy Facility

Any system of one or more wind turbines and associated facilities designed to convert wind energy into electricity for commercial sale or distribution.

B. Battery Energy Storage System (BESS)

One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, including associated equipment and structures.

C. Solar Energy Facility

Any commercial or utility-scale solar collection system designed to generate electricity for sale or distribution, including solar arrays, solar farms, and associated equipment.

This moratorium shall not apply to rooftop solar systems serving a principal residential, agricultural, or commercial use on the same property.

SECTION 4. MORATORIUM

A. Effective immediately upon the effective date of this Local Law, no application shall be accepted, reviewed, approved, processed, or acted upon by the Town Board, Planning Board, Zoning Board of Appeals, Code Enforcement Officer, or any other Town official for:

1. Wind Energy Facilities;
2. Battery Energy Storage Systems (BESS);
3. Commercial or Utility-Scale Solar Energy Facilities;

B. No building permit, special use permit, site plan approval, subdivision approval, zoning approval, certificate, variance, or other authorization shall be issued for any use covered by this Local Law during the moratorium period.

C. No person shall commence construction, site preparation, clearing, grading, excavation, installation, expansion, or operation of any use covered by this Local Law during the moratorium period.

SECTION 5. EXEMPTIONS

The following shall be exempt from this moratorium:

A. Residential rooftop solar systems serving a principal use located on the same parcel.

B. Routine maintenance, repair, or replacement of existing legally permitted facilities that does not increase capacity, footprint, or operational intensity.

C. Existing facilities lawfully operating prior to the effective date of this Local Law.

SECTION 6. HARDSHIP RELIEF

A. Any property owner affected by this Local Law may apply to the Town Board for relief from the moratorium.

B. The applicant shall demonstrate by clear and convincing evidence that:

1. Unnecessary hardship would result from strict application of the moratorium;
2. The requested relief will not undermine the purposes of this Local Law;
3. Granting relief will not adversely affect the health, safety, or welfare of Town residents.

C. The Town Board may hold a public hearing before acting upon such request.

SECTION 7. TERM

This moratorium shall remain in effect for a period of twelve (12) months from its effective date.

The Town Board may extend the moratorium by local law if additional time is required to complete the review and adoption of land use regulations.

SECTION 8. ENFORCEMENT

Any violation of this Local Law shall be enforceable by the Town Code Enforcement Officer and the Town may seek:

A. Stop-work orders;

B. Injunctive relief;

C. Civil penalties as permitted by law;

D. Any other remedies available under New York State law.

SECTION 9. SEVERABILITY

If any provision of this Local Law is determined to be invalid by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions.

SECTION 10. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Department of State.