

LEGAL NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held on a proposed Local Law extending a Moratorium on Commercial Free-Standing Solar Photovoltaic (PV) Systems within the City of Oneida at the Kallet Civic Center located at 159 Main Street, Oneida, New York on July 21, 2020 at 6:30 p.m.

PLEASE TAKE FURTHER NOTICE that the complete text of the proposed Local Law extending the moratorium be viewed at the City Clerk's office during regular business hours and on the City's website www.oneidacity.com.

PLEASE TAKE FURTHER NOTICE that any or all persons opposing said Local Law may file a written notice thereto, with the City Clerk before such hearing or attend said hearing at the time and place specified.

PLEASE TAKE FURTHER NOTICE that any persons with special needs should contact the City Clerk one week prior to the hearing.

Susan Pulverenti
City Clerk

A LOCAL LAW EXTENDING A MORATORIUM ON COMMERCIAL FREE-STANDING SOLAR PHOTOVOLTAIC (PV) SYSTEMS WITHIN THE CITY OF ONEIDA

Be it enacted by the Common Council of the City of Oneida, as follows:

SECTION 1. INTENT.

The purpose of this Local Law is to extend the six (6) month moratorium on commercial free-standing solar photovoltaic ("PV") systems within the City of Oneida by six (6) months to allow time for the drafting, review and adoption of amendments to the Code of the City of Oneida affecting these systems. These amendments, among other things, will set design requirements and such other regulations as may be necessary to promote and preserve the health, safety and welfare of the City of Oneida and its citizens.

SECTION 2. LEGISLATIVE PURPOSE.

The City of Oneida has in effect Chapter 46 of the Code of the City of Oneida (Code), titled "Energize NY Benefit Financing Program" and Chapter 190 of the Code, titled "Zoning" which address "Solar" uses within the City. Pursuant to Local Law No. 1 of 2020, the City Common Council determined that a period of time was necessary to determine whether additional regulation of commercial free-standing photovoltaic ("PV") systems was required to preserve and protect the health, safety and welfare of its residents. Commercial free-standing PV systems are generally larger, more obtrusive and can pose a hazard and danger to residents by distraction, obstruction, and the power supply systems involved with such installations may pose a risk.

As a result of Covid-19 and the State of Emergency issued by Governor Andrew Cuomo, the ability of committee and City personnel to meet and draft comprehensive legislation regulating such uses has been impeded. Due to the circumstances imposed by the pandemic, the City of Oneida Common Council had not been able to review and enact legislation regulating commercial free-standing solar

photovoltaic (“PV”) systems within the City of Oneida within the time contemplated by Local Law No. 1 of 2020. Accordingly, an extension of the moratorium will enable the committee and City personnel to complete its comprehensive analysis of the various issues involved with commercial free-standing PV systems and develop appropriate legislation and local regulations governing same.

Therefore, while the City continues to recognize the potential benefits and desirability of solar power and renewable energy sources, the Common Council determines that additional time and study is necessary in order to determine if and how to properly regulate such installations. The City Common Council deems this moratorium extension necessary for the City.

SECTION 3. MORATORIUM IMPOSED, APPLICABILITY AND TERM

For the period commencing on the effective date of this Local Law, and for six (6) months beyond the expiration date of the moratorium as enacted by “A Local Law Imposing a Six (6) Month Moratorium on Commercial Free-Standing Solar Photovoltaic (“PV”) Systems Within the City of Oneida” (Local Law No. 1 for 2020) or until such time as the City of Oneida enacts comprehensive legislation regulating such uses, whichever shall first occur.

SECTION 4. VALIDITY AND 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 affect any other section of this local law.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Department of State and shall remain in force and effect for a period of six (6) months following the expiration of the moratorium enacted in Local Law No. 1-2020.