

# *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 Hamilton

**Local Law No. 2 of the year 2018**

**A Local Law to Amend the Zoning Law of the Town of Hamilton to Add Provisions Regulating Solar Energy Systems in the Town**

Be it enacted by the Town Board \_\_\_\_\_ of the \_\_\_\_\_  
*(Name of Legislative Body)*

County     City     Town     Village  
*(Select one:)*

of Hamilton as follows:

**“TOWN OF HAMILTON  
PROPOSED LOCAL LAW NO. 2 OF 2018**

**A LOCAL LAW TO AMEND THE ZONING LAW OF THE TOWN OF HAMILTON TO ADD PROVISIONS REGULATING SOLAR ENERGY SYSTEMS**

Be it enacted by the Town Board of the Town of Hamilton as follows:

**SECTION 1.                    LEGISLATIVE PURPOSE AND INTENT**

The purpose of this Local Law is to permit and regulate the construction of solar energy systems in the Town of Hamilton in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy.

**SECTION 2.                    AUTHORITY**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law § 10.

**SECTION 3.                    DEFINITIONS**

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

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Article 12 (“Definitions”) of the Zoning Law of the Town of Hamilton is hereby amended to add the following definitions:

**BUILDING INTEGRATED PHOTOVOLTAIC SYSTEM:** A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows primarily intended for producing electricity for onsite use.

**BUILDING-MOUNTED SOLAR ENERGY SYSTEM-** A solar energy system that is affixed to the roof or side(s) of a building or other legally permitted structure either directly or by means of support structures or other mounting devices.

**GLARE:** The sensation produced by brightness produced from a light source or from reflection off a surface on a parcel of land and within a person’s visual field that are sufficiently greater than the brightness to which the eyes are adapted, which causes annoyance, discomfort, or loss in visual performance and visibility and which is perceived at or beyond the property lot line.

**GROUND-MOUNTED SOLAR ENERGY SYSTEM:** A Solar Energy System that is directly anchored to the ground and attached to a pole or other mounting system, not attached or affixed to an existing structure, and detached from any other structure.

**ONSITE:** Located on the lot that is the subject of an application for development.

**PRIMARILY:** For purposes of this section, description of an amount of projected on-site energy demand not less than 90% of project energy generation.

**ROOF-MOUNTED SOLAR ENERGY SYSTEM:** A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity or solar thermal power generation.

**SOLAR ENERGY EQUIPMENT:** Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

**SOLAR ENERGY SYSTEM:** An electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment.

**Small-scale solar energy system:** A solar energy system or solar thermal system servicing primarily the building or buildings on the parcel on which the system is located for onsite consumption for either residential or business use, and limited to those rooftop and building-integrated, roof-

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mounted, and ground-mounted solar collectors that produce 25 kW or less electricity. A small-scale solar energy system shall be permitted as an accessory use and shall meet all requirements of 6.6-4.

**Medium-scale solar energy system:** A solar energy system or solar thermal system primarily servicing either a) on-site residential or business uses, having roof-mounted or ground-mounted solar collectors that produce more than 25 kW – 200 kW of electricity designed to serve that principal user, or b) those systems that are ground-mounted systems located offsite from the parcel containing the principal electrical user but designed to serve that principal user. A medium-scale solar energy system shall be permitted with a site plan approval by the Planning Board and shall meet all requirements of 6.6-5.

**Large-scale solar energy system:** A solar energy system that produces energy primarily for supplying more than 200 kW and less than 25 mW of electrical energy into a utility grid for wholesale or retail offsite sale or consumption whether generated by photovoltaics, solar thermal devices or other solar technologies, and whether ground-mounted or building-mounted. A large-scale solar energy system may also be referred to as a ‘solar plant’, ‘solar farm’, ‘commercial solar energy system’ or solar power plant’. A large-scale solar energy system shall be permitted with a special use permit and site plan approval by the Planning Board, and shall meet all requirements of 6.6-6.

**Agricultural solar energy system:** A solar energy system that provides up to the maximum allowable energy output as defined by state and/or federal requirements on a farm operation as defined by New York State Agriculture and Markets Law 305-a. These may be roof-mounted or ground-mounted systems. An agricultural solar energy system shall require a modified site plan review pursuant to the Town of Hamilton Zoning Law.

**SOLAR PANEL:** A photovoltaic device capable of collecting and converting solar energy into electrical energy.

**SOLAR THERMAL SYSTEM:** Solar energy system that directly heats air; water or other liquid using sunlight. The heated air, water or other liquid is used for such purposes including but not limited to space heating and cooling, domestic hot water and heating pool water.

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## **SECTION 4.**      **SOLAR ENERGY SYSTEM REGULATIONS**

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The Zoning Law of the Town of Hamilton is hereby amended to add a new Section 6.6, "SOLAR FACILITIES", as follows:

## **6.6-1 Authority**

This Zoning for Solar Facilities section is adopted pursuant Section 10 of the Municipal Home Rule Law and Sections 261-263 of the Town Law of the State of New York, which authorize the Town of Hamilton to adopt zoning provisions that advance and protect the health, safety, and welfare of the community, and "to make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefor."

## **6.6-2 Statement of Purpose**

- A. This section on Solar Facilities is adopted to advance and protect the public health, safety, and welfare of the Town of Hamilton by:
  - 1) Supporting energy independence and community resiliency by taking advantage of a safe, abundant, renewable, and non-polluting energy resource;
  - 2) Accommodating solar energy systems while balancing the potential impact on neighbors and the community;
  - 3) Establishing provisions for the placement, design, construction, and operation of such systems to be consistent with the Town of Hamilton Comprehensive Plan;

## **6.6-3 Applicability**

- A. The requirements of this law shall apply to all Solar Energy Systems installed or modified after its effective date, excluding general maintenance and repair and Building-Integrated Photovoltaic Systems. Solar Energy System installations for which a valid building permit has been issued before the effective date of this local law shall not be required to meet the requirements of this local law. All solar energy systems shall be designed, erected, and installed in accordance with all applicable codes, regulations and industry standards as referenced in the New York State Uniform Fire and Building Code as well as may be required by the Public Service Commission regulations.
- B. Nothing in these regulations shall be construed to prohibit the sale of small amounts of excess power through a net-billing or net-metering arrangement in accordance with New York Public Service Law §66-j or similar state or federal statute.

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### **6.6-4 Permitting and Approval Requirements for Small-Scale Solar Energy Facilities as an Accessory Use or Structure**

- A. Roof-Mounted or Building-Mounted Small-Scale Solar Energy Systems.
  - 1) Small-scale building and roof-mounted solar energy systems are permitted as an accessory use in all zoning districts when attached to any lawfully permitted building or structure. They shall meet all zoning requirements for an accessory structure including setbacks, shall require a solar building permit granted by the Town's Code Enforcement Officer shall be exempt from site plan review under the Town of Hamilton zoning law, but shall be subject to the requirements of this section.
  - 2) All solar collectors and related equipment shall be surfaced, designed, and sited so as not to reflect glare onto adjacent properties and roadways.
  - 3) Height shall not exceed the maximum height restrictions of the zoning district within which they are located and are provided the same height exemptions granted to building-mounted mechanical devices or equipment pursuant to Section 4.5-2 of this zoning law. Solar panels on flat roofs shall not extend above the top of the surrounding parapet, or more than 24 inches above the flat surface of the roof, whichever is higher.
  - 4) Roof-Mounted Solar Energy System installations shall incorporate, when feasible, the following design requirements:
    - a. Solar panels on pitched roofs shall be installed parallel to the roof surface on which they are mounted or attached.
    - b. Panels facing the front yard must be mounted at the same angle as the roof's surface with a maximum distance of 18 inches between the roof and highest edge of the system.
  - 5) If a building-mounted system is to be installed on any building or structure that is non-conforming because its height violates the height restrictions of the zoning district in which it is located, the building-mounted system shall be permitted, so long as the building-mounted system does not extend above the peak or highest point of the roof to which it is mounted and so long as it complies with the other provisions of this Section 6.6.
- B. Ground-Mounted Small-Scale Solar Energy Systems.

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- 1) Small-scale Ground-Mounted Solar Energy Systems are permitted as an accessory use in all zoning districts when placed on the same parcel of land as the principal building or structure that will use that system. They shall meet all zoning requirements for an accessory structure including setbacks, shall require a solar building permit granted by the Town's Code Enforcement Officer. They shall be exempt from site plan review under the Town of Hamilton zoning law, but shall be subject to the requirements of this Section.
- 2) All solar collectors and related equipment shall be surfaced, designed, and sited so as not to reflect glare onto adjacent properties and roadways.
- 3) Setback. Ground-Mounted Solar Energy Systems shall adhere to the setback requirements of the underlying zoning district.
- 4) Screening shall be provided when practicable using architectural features, earth berms, landscaping, fencing, or other screening which will harmonize with the character of the property and surrounding area. The proposed screening shall not interfere with normal operation of the solar collectors.
- 5) All such Systems located in Residential Districts shall be installed in the side or rear yards. No such system shall be installed in a front yard or front setback.
- 6) The top edge of the solar panel to be ground-mounted shall not be greater than 12 feet above ground level when oriented at a maximum vertical tilt.
- 7) Ground-mounted solar energy system equipment shall be located to minimize shading of property to the north while still providing adequate solar access for collectors.
- 8) No ground-mounted solar energy system shall be located within any buffer area that may be designed through conservation easement, subdivision plat approval, or other legal requirement.

The total on-ground surface area of a ground-mounted solar energy system shall not exceed the area of the ground covered by the principal building on the parcel as shown on the plot plan if a site plan review is required. Installations proposed to exceed the area of ground covered by the principal building on the parcel may apply to the Zoning Board of Appeals to seek an area variance.

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- 9) The area both beneath and between ground-mounted solar collectors shall be included in calculating any building or lot coverage and minimum open space standards for the zoning district within which the solar energy system is located.
- 10) No solar energy system shall be installed on a designated wetland as defined by the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers, or other governing body.
- 11) No solar energy system shall be installed on Critical Environmental Areas (CEAs) as defined by the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers, or other governing body.
- 12) If a ground-mounted system is to be installed on property containing a structure that is non-conforming because the required minimum setbacks are exceeded, the proposed system shall be permitted so long as the system does not encroach into the established setback for the property according to the Town's Zoning Law. If the ground-mounted system is to be installed on a property that is non-conforming because it violates zoning district requirements other than setbacks, then a special use permit must be obtained for the proposed installation.

### **6.6-5 Permitting and Approval Requirements for Medium-Scale Solar Energy Systems**

- A. Medium-scale solar energy systems are permitted within the agricultural-residential and commercial zoning districts in the Town of Hamilton, subject to receiving site plan approval by the Planning Board. The Planning Board shall review all medium-scale solar energy systems to include, but is not limited to consideration of the visual effect of the proposed solar installation, including on scenic and historic resources and viewsheds; impacts on community character; compatibility of the proposed solar system with adjacent and other nearby land uses; and the effect of the proposed installation on ecologically sensitive land or water resources.
- B. Medium-scale solar energy systems shall also meet all development standards for small-scale systems as per 6.6-4(B).

### **6.6-6 Permitting and Approval Requirements for Large-Scale Solar Systems**

- A. Large-Scale Solar Energy Systems are permitted through the issuance of a special use permit and site plan review within the agricultural-residential and commercial zoning districts in the Town of Hamilton, subject to approval of a special use permit and site plan as per the requirements set forth in this Section, and Article 8 (Special Permits) and Article 9 (Site Plan Review) of the Town of Hamilton Zoning Law. The Planning Board shall

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review concurrently the site plan and special use permit applications. The application materials as required in Article 8 and 9 shall be supplemented by the following:

- 1) If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.
- 2) Blueprints showing the layout of the Solar Energy System signed by a Professional Engineer or Registered Architect shall be required. Plans shall show the proposed layout of the entire Solar Energy System along with a description of all components, whether on site or off site, existing vegetation, access, mounting systems, inverters, panels, fencing and proposed clearing and grading of all sites involved.
- 3) Documentation of access to the project site(s), including location of all access roads, gates, parking areas, etc.
- 4) Plan for clearing and/or grading of the site. The clearing and grading plan shall also include methods to stockpile, reduce erosion of, and reuse all top soil from the site. If one acre or more of land is to be disturbed, the applicant shall also submit a Stormwater Pollution Prevention Plan consistent with NYS DEC requirements. Clearing and/or grading activities are subject to review by the Planning Board and shall not commence until the issuance of site plan approval.
- 5) Identification of wildlife species that may use the parcel including potential wildlife travel corridors, migration paths (including both ground and aerial pathways), or critical habitats. The site plan and supporting application shall include an on-site evaluation of wildlife species that may use or migrate through the project site. Any lake or waterbody within  $\frac{1}{2}$  mile shall also be included on the site plan.
- 6) The Town shall require any applicant to pay all associated costs for any application review, including but not limited to engineering, legal, environmental, planning, and the review required under SEQRA. When the Planning Board determines that a review will require engineering, legal, environmental, or planning costs, they shall provide an estimate to the applicant. Subsequently, the applicant shall pay into an escrow account sufficient funds to cover those costs. Such payment shall be made prior to commencement of any further Planning Board review.
- 7) Photo simulations shall be included showing the proposed Large-Scale Solar Energy System in relation to the building/site along with elevation

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views and dimensions, and manufacturer's specifications and photos of the proposed Large-Scale Solar Energy System, solar collectors, and all other components. The Planning Board may require photo simulations to be provided from specific roads or other public areas that may be impacted. In the course of its review of a proposal for development of a large-scale solar facility, the Planning Board may require an applicant to submit a viewshed analysis that meets the procedures identified within the New York State Department of Environmental Conservation's SEQRA publication entitled "Assessing and Mitigating Environmental Impacts."

- 8) Part I of the SEQRA Full Environmental Assessment Form filled out.
- 9) Details of any proposed noise that may be generated by inverter fans, or other noise generating equipment that may be included in the proposal. The Planning Board may require a noise analysis to determine potential adverse noise impacts.
- 10) Documentation of utility notification, including an electric service order number. The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
- 11) Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming, and fence maintenance.
- 12) Decommissioning Plan. To ensure the proper removal of Large-Scale Solar Energy Systems, a Decommissioning Plan shall be submitted as part of the application. Compliance with this plan shall be made a condition of the issuance of a special use permit under this Section. The Decommissioning Plan must specify that after the Large-Scale Solar Energy System can no longer be used, it shall be removed by the applicant or any subsequent owner. The Decommissioning Plan must also specify that any alteration to the approved Large-Scale Solar Energy System such as but not limited to reducing, increasing, or changing the solar panels within the system shall be subject to Planning Board review and approval of a new or amended site plan and special use permit. The decommissioning plan shall also include:
  - a. Provisions describing the triggering events for decommissioning of the solar energy facility;
  - b. Provisions for the removal of structures, debris and cabling, including those below the soil surface;

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- c. Provisions for the restoration of the soil and vegetation. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction;
  - d. A timetable approved by the Planning Board for site restoration;
  - e. A cost estimate detailing the projected cost of executing the Decommissioning Plan shall be prepared by a Professional Engineer or Contractor. Cost estimations shall take into account inflation. Removal of Large-Scale Solar Energy Systems must be completed in accordance with the Decommissioning Plan;
  - f. Financial Assurance, secured by the Owner or Operator, for the purpose of adequately performing decommissioning, in an amount equal to the Professional Engineer's certified estimate of removal and decommissioning costs. The financial assurance shall be reviewed by the Town Attorney annually to ensure the Owner or Operator and bond maintain the necessary assurances for decommissioning;
  - g. Identification of and procedures for Town of Hamilton access to Financial Assurances;
  - h. A provision that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator or any of their successors, assigns, or heirs;
  - i. A provision that the Town of Hamilton shall have access to the site, pursuant to reasonable notice, to effectuate or complete removal and decommissioning;
  - j. Removal of machinery, equipment, tower, and all other materials related to the project is to be completed within one year of decommissioning. If the Large- Scale Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and impose a lien on the property to cover these costs to the municipality;
  - k. The plan shall also include an expected timeline for execution.
- 13) If the applicant begins but does not complete construction of the project within 18 months after receiving final site plan approval, this may be deemed abandonment

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of the project and require implementation of the decommissioning plan to the extent applicable. The Town may notify the operator and/or the owner to complete construction and installation of the facility within 180 days. If the owner and/or operator fails to perform, the Town may notify the owner and/or operator to implement the decommissioning plan. The decommissioning plan must be completed within 180 days of notification by the Town.

- 14) Upon cessation of activity of a constructed facility for a period of one year, the Town may notify the owner and/or operator of the facility to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator can either restore operation equal to 80% of approved capacity or implement the decommissioning plan.
- 15) If the owner and/or operator fails to fully implement the decommissioning plan within the one-hundred-eighty-day time period, the Town may, at its discretion, provide for the restoration of the site in accordance with the decommissioning plan and may recover all expenses incurred for such activities from the defaulted owner and/or operator. The cost incurred by the Town shall be assessed against the property, shall become a lien and tax upon the property, and shall be enforced and collected with interest by the same officer and in the same manner as other taxes.

### B. Special Use Permit Standards.

- 1) Height and Setback. Large-Scale Solar Energy Systems shall adhere to the setback requirements of the underlying zoning district. The top edge of the solar panel to be ground-mounted shall not be greater than 12 feet above ground level when oriented at a maximum vertical tilt.
- 2) Lot Size. Large-Scale Energy Systems shall be located on lots with a minimum lot size of 10 acres and a maximum lot size of 50 acres.
- 3) Lot Coverage. The surface area covered by Solar Panels shall be included in calculating total lot coverage for the zoning district within which the solar energy system is located.
- 4) All Stormwater Pollution Prevention Plan requirements of NYS DEC shall be required for any large-scale solar energy system that disturbs one acre or more of land.
- 5) All Large-Scale Solar Energy Systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The type of fencing shall be approved by the Planning Board. The fencing

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may be required to be further screened by landscaping to avoid adverse aesthetic impacts, including construction of a berm to screen the facility from public views.

- 6) There shall be a minimum 75-foot buffer between any component of the Large-scale Solar Energy System and the parcel boundary line. The Planning Board is authorized to alter the width of this buffer to be larger after analysis of site conditions and adjacent land uses.
- 7) No solar energy system shall be installed on a designated wetland as defined by the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers, or other governing body.
- 8) No solar energy system shall be installed on Critical Environmental Areas (CEAs) as defined by the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers, or other governing body. No solar energy system shall be located on areas of potential environmental sensitivity, as may be designated by the Town, the County, or New York State Department of Environmental Conservation, or on flood plains, and wetlands as identified by New York State Department of Environmental Conservation, or the United States Army Corps of Engineers. Further, no facilities shall be located on slopes of greater than fifteen percent (15%), unless the Applicant can demonstrate through engineering studies and to the satisfaction of the Planning Board that the proposed development will cause no adverse environmental impact that will not be satisfactorily mitigated.
- 9) Vegetation shall be maintained below the solar panels. The ground within the fenced perimeter shall not be tamped, compressed, or otherwise conditioned to inhibit the total growth of natural vegetation. The Planning Board may allow for co-use of the lands under and around installed solar panels for grazing or growing of crops that could be grown or harvested without damaging or interfering with solar facilities.
- 10) The Planning Board may require methods to mitigate adverse impacts to wildlife, wildlife habitats, travel corridors or migration routes. These may be but are not limited to use of LED lights to avoid attracting insects, netting to exclude birds for panel area, visual deterrence, ruse of roosting or perching prevention, fencing that allows wildlife passage, or other use of lights, colors or decoys.
- 11) All roadways associated with the Large-Scale Solar Energy System shall remain unpaved and of pervious surfaces.

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- 12) The Planning Board may require that the solar facility, including any proposed off-site infrastructure, be located and screened in such a way as to avoid or minimize visual impacts as viewed from public places such as public roads and highways, or public parks. Appropriate landscaping and/or site design features, including both the maintenance of existing natural vegetation and the introduction of new plantings consisting of a naturally appearing blend of deciduous and coniferous species, shall be required to help screen the facility and accessory structures from roads, neighboring residences, and other uses.
- 13) The Planning Board may also require that all structures and devices used to support solar systems be non-reflective and/or painted earth-tone green, brown or dark gray colors to aid in blending the facility into the existing environment.
- 14) The design, construction, operation, and maintenance of any Large-Scale Solar Energy System shall prevent glare and/or reflection of solar rays onto neighboring properties and public roads in excess of that which already exists.
- 15) Artificial lighting of Large-Scale Solar Energy Systems shall be limited to lighting required for safety and operational purposes, and shall use fully shielded downward directed fixtures that allow for 0% uplighting, no more than 1.25 lumens per square foot of hardscaped, and do not allow more than one foot candle (one lumen) of light to be present at property lines and public roads.
- 16) Any signage used to advertise the Large-Scale Solar Energy System shall be in accordance with the Town's signage regulations. The manufacturers or installer's identification, contact information, and appropriate warning signage shall be posted at the site and clearly visible.
- 17) Following construction of a Large-Scale Solar Energy System, all disturbed areas where soil has been exposed shall be reseeded with grass and/or planted with low-level vegetation capable of preventing soil erosion and airborne dust.
- 18) Any post-construction changes or alterations to the Large-Scale Solar Energy System shall be done by amendment to the special use permit only by the Planning Board and subject to the requirements of this section.
- 19) Any application under this Section shall meet any other substantive provisions contained in the site plan requirements of the Town's zoning law

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that, in the judgment of the Planning Board, are applicable to the system being proposed.

- 20) The Planning Board may impose conditions on its approval of any special use permit under this Section in order to enforce the standards referred to in this Section, or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA).
- 21) Any application under this Section shall meet any substantive provisions contained in local site plan requirements in the zoning law that, in the judgment of the Planning Board, are applicable to the system being proposed.

## **6.6-7 Prohibition on Solar Energy Systems 25 MW or Larger**

A solar energy system(s) that produces energy of 25 MW or more is permitted in the Agricultural/Residential and Commercial Districts within the Town of Hamilton if it meets all the criteria and approvals for large-scale solar (Section 6.6-6), excepting maximum lot size.

## **6.6-8 Abandonment and Decommissioning**

Solar Energy Systems are considered abandoned after 18 months without electrical energy generation and must be removed from the property. An application for one six-month extension will be reviewed by the Planning Board. All requirements of the decommissioning plan approved by the Planning Board shall be met.

## **6.6-9 Enforcement**

Any violation of this Section 6.6 (Solar Facilities Law) shall be subject to the same civil and criminal penalties provided for in the zoning regulations of the Town of Hamilton.

## **SECTION 5. USE TABLE**

The Use Table of the Town of Hamilton Zoning Law is hereby amended in accordance with the provisions of this Local Law.

## **SECTION 6. SEVERABILITY.**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

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### **SECTION 7. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with the office of the Secretary of State.”

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**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2018 of the **Town of Hamilton** was duly passed by the **Town Board** on **July 11, 2018**, 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 **Town of Hamilton** was duly passed by the **Town Board** on       , 20  , and was (approved/not approved/repassed after disapproval) by the **Town Board** 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 **Town of Hamilton** was duly passed by the **Town Board** on       , 20  , and was (approved/not approved/repassed after disapproval) by the **Town Board** 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 **Town of Hamilton** was duly passed by the **Town Board** on       , 20  , and was (approved/not approved/repassed after disapproval) by the **Town Board** 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.

**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.)**

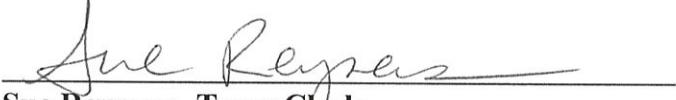
I hereby certify that the local law annexed hereto, designated as local law No.    of 20   of the **County of**, State of New York, having been submitted to the electors at the General Election of November   , 20  , pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having 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.)**

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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.

  
**Sue Reymers, Town Clerk**  
**Town of Hamilton**

(Seal)

Date: **July 11, 2018**