

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 Sparta

Local Law No. 5 of the year 2023

A local law establishing a temporary land use moratorium prohibiting the establishment of
(Insert Title)
commercial and large scale wind towers and wind turbines within the Town of Sparta
for twelve (12) months.

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

County City Town Village
(Select one:)

of Sparta as follows:

"See Attached"

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

LOCAL LAW NO. 5 OF 2023

“A LOCAL LAW ESTABLISHING A TEMPORARY LAND USE MORATORIUM PROHIBITING THE ESTABLISHMENT OF COMMERCIAL AND LARGE SCALE WIND TOWERS AND WIND TURBINES WITHIN THE TOWN OF SPARTA FOR TWELVE (12) MONTHS”

Be it enacted by the Town Board of the Town of Sparta, Livingston County, New York, as follows:

SECTION I. TITLE

This local law shall be entitled “A Local Law Establishing A Temporary Land Use Moratorium Prohibiting The Establishment Of Commercial And Large Scale Wind Towers And Wind Turbines Within The Town Of Sparta For Twelve (12) Months”.

SECTION II. AUTHORITY

The Town Board of the Town of Sparta, pursuant to the authority of Municipal Home Rule Law of the State of New York, hereby enacts said article as follows.

SECTION III. PURPOSE AND INTENT

The purpose is for the general health, safety, and welfare of the Town of Sparta and for the protection of its physical and visual environment, the Town Board of the Town of Sparta believes that regulations should be studied and established before any commercial wind towers and/or wind turbines are established or erected in the Town of Sparta. Said Town believes that a period of one (1) year is a reasonable time to study and enact any such necessary regulations.

SECTION IV. ENACTMENT

There is hereby established a one (1) year moratorium on the establishment and/or erection of wind towers and wind turbines in the Town of Sparta. No wind towers or wind turbines shall be established or erected in the Town of Sparta for the next one (1) year.

SECTION V. EFFECTIVE DATE

This law shall take effect immediately after its adoption by the Town Board and its filing with the Secretary of State.

(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. 5 of 2023 of the (County)(City)(Town)(Village) of Sparta was duly passed by the Sparta Town Board on July 18, 2023, 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 *(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.

(Seal)



[Handwritten Signature]

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

Date: 7/11/23