

# Solar Law and Battery Storage Law

MRB | group



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## SOLAR ORDINANCE SUGGESTIONS

- Adopt a resolution or policy statement, or the legislative body can issue an executive order or proclamation to outline a strategy for municipal-wide solar or battery energy storage system development.
- Appoint a Task Force ("Task Force") that represents all interested stakeholders, including residents, businesses, interested non-profit organizations, the solar industry, utilities, and relevant municipal officials and staff to prepare an action plan, amend the comprehensive plan to include solar energy planning goals and actions, and develop local laws and/or regulations to ensure the orderly development of solar energy projects.
- Charge the Task Force with conducting meetings on a communitywide basis to involve all key stakeholders, gather all available ideas, identify divergent groups and views, and secure support from the entire community. The Task Force also should conduct studies and should determine whether existing policies, land use plans and regulations require amendments to remove barriers to and facilitate solar energy development goals.
- Establish a training program for local staff and land use boards. Municipalities are encouraged to utilize State and Federal technical assistance and grants for training programs when available.
- Partner with adjacent communities and/or county agencies to adopt compatible policies, plan components, and zoning provisions for solar and battery energy storage system projects. County or Regional Planning agencies may also advise participating local governments on locally addressing these issues.



NYSERDA



A workable version of Solar and Battery Model Laws can be found here:

### Model Solar Local Law

<https://www.nyserra.ny.gov/All-Programs/Clean-Energy-Siting/Solar-Guidebook>, under Model Solar Energy Local Law

### Battery Energy Storage System Model Law

[nyserra.ny.gov/Energy-Storage-Guidebook](https://www.nyserra.ny.gov/Energy-Storage-Guidebook), under Battery Energy Storage System Model Law tab.



# THINGS TO CONSIDER

## THINGS TO INCLUDE IN THE SOLAR & BATTERY LAWS

1. Authority
2. Statement of Purpose
3. Definitions
4. Applicability
5. Zoning & District Regulations
6. Permitting requirements for small-scale solar energy systems
7. Permitting requirements for large-scale solar energy systems
8. Building/Roof mounted solar energy systems
9. Commercial integrated systems
10. Safety
11. Permit Time Frame and Abandonment
12. Enforcement
13. Severability
14. Decommissioning Plan, Agreement and Estimate
15. Operation and Maintenance Plan

## WHO SHOULD BE PART OF THE PROCESS?

- Legislative Body
- Code Enforcement Officer
- Zoning Board of Appeals
- Planning Boards
- Town Attorney & Municipal Engineer
- County Planning Board



## ADDITIONAL CONSIDERATIONS

- Road Use Agreement
- Soil Sampling
- Payment-In-Lieu-Of-Taxes (PILOT)
- Hosting Community Benefit Agreement
- Landscaping, buffering, and fencing
- Financial Plan
- Lease Agreement