

A LOCAL LAW to amend Chapter 300 of the Code of the Town of Yorktown entitled “ZONING”

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

Section I. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II.

Section 300-81.4(c) of the Code of the Town of Yorktown is hereby amended as follows:

“LARGE-SCALE SOLAR ENERGY SYSTEM — A solar energy system that exceeds 20 kilowatts (kW) DC as rated by its nameplate capacity” shall be amended to read “LARGE-SCALE SOLAR ENERGY SYSTEM — A solar energy system that exceeds 25 kilowatts (kW) DC as rated by its nameplate capacity”.

“SMALL-SCALE SOLAR ENERGY SYSTEM — A solar energy system that does not exceed more than 20 kW DC as rated by its nameplate capacity, and serves only the buildings or structures on the lot upon which the system is located” shall be amended to read “SMALL-SCALE SOLAR ENERGY SYSTEM — A solar energy system that does not exceed more than 25 kW DC as rated by its nameplate capacity, and serves only the buildings or structures on the lot upon which the system is located”.

Section III. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistency.

Section V. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.