LEGAL NOTICE
CITY OF ONEIDA
LOCAL LAW NO. 5 of 2026

The Common Council of the City of Oneida, Madison County, State of New York, pursuant to the authority vested in it by law does hereby enact Local Law No. 5 of 2026 imposing a six (6) month Moratorium on Commercial Free-Standing Solar Photovoltaic (PV) Systems and Battery Energy Storage Systems within the City of Oneida as follows:

CITY OF ONEIDA
PROPOSED LOCAL LAW

A LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM ON COMMERCIAL FREE-STANDING SOLAR PHOTOVOLTAIC (PV) SYSTEMS AND BATTERY ENERGY STORAGE SYSTEMS WITHIN THE CITY OF ONEIDA

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

SECTION 1. INTENT.

It is the intent of the Common Council of the City of Oneida to impose a six (6) month moratorium on the siting, establishment, placement, installation, construction, erection, modification and enlargement of commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems within the City of Oneida. This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. LEGISLATIVE PURPOSE.

The purpose of this Local Law is to temporarily halt the development of commercial free-standing solar power energy systems and battery energy storage systems, for a period of up to six (6) months, while the City considers zoning changes and the enactment of additional zoning measures to specifically address matters of community concern.

The City has become aware of increasing interest by developers of larger scale solar energy system applications in the City and surrounding areas, such that solar energy uses are becoming increasingly prevalent in the City of Oneida at a commercial scale. Based upon this, the Common Council is of the opinion that a period of time is necessary to determine whether the existing regulation of commercial freestanding solar power energy systems needs to be revised in order to preserve and protect the health, safety and welfare of its residents. Commercial free-standing solar power energy 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. This moratorium will enable city officials to review existing regulations in place and determine whether revisions are necessary to comprehensively address the various issues involved with these commercial level systems.

The Common Council also recognizes and acknowledges that the City needs to study and analyze many considerations that affect the preparation of local legislation to regulate battery energy storage systems. In the coming months, the City will be diligently working towards the development of regulations that will address, in a careful manner, the establishment, placement, construction,

enlargement and erection of battery energy storage systems on a City-wide basis and to adopt land use regulations for provisions to specifically regulate same. The Common Council therefore deems this moratorium urgent and immediately necessary for the City.

SECTION 3. DEFINITIONS.

BATTERY(IES): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM: An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects temperatures or other conditions are detected.

BATTERY ENERGY STORAGE SYSTEM: A rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems and associated electrical equipment designed to store energy to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier I or Tier 2 Battery Energy Storage System as follows:

A. Tier I Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.

B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

CELL: The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

COMMERCIAL FREE STANDING SOLAR PHOTOVOLTAIC (PV) SYSTEMS: A free standing solar photovoltaic (PV) system and area of land principally used to convert solar energy to electricity with the primary purpose of supplying electricity to a utility grid for wholesale or retail sales of electricity to the general public or utility provider.

PERSON: The term person shall include any individual, partnership, association, corporation, landowner, lessee or licensee.

SECTION 4. MORATORIUM.

A. The Common Council hereby enacts a moratorium which shall prohibit the siting, establishment, placement, installation, construction, erection, modification, and enlargement of commercial free-standing solar photovoltaic (PV) system within the City of Oneida and/or the processing or further processing of such applications.

B. This moratorium shall be in effect for a period of six (6) months from the effective date of this Local Law and shall expire on the earlier of: (i) the date six (6) months from said effective date of this local law, unless renewed; or (ii) the enactment by the Common Council of a resolution indicating the Common Council is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all zoning districts and all real property within the City.

D. Commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems which have previously been approved are hereby expressly excluded from this moratorium and may be sited, placed, installed, constructed, erected and operated in accordance with approved plans. Further modification, alteration or enlargement of previously approved commercial free-standing solar photovoltaic (PV) systems and battery energy storage systems is prohibited while the moratorium is in effect.

SECTION 5. RELIEF FROM PROVISIONS OF THIS LOCAL LAW.

A. The Common Council reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Planning Department together with a filing fee of $250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorneys' fees, incurred by the City, shall be reimbursed to the City by the Applicant. The Common Council shall apply Use Variance criteria as set forth in the New York State General City Law, Section 81-b, in reviewing any application for relief.

C. The Common Council may refer any applications for relief herein to the Planning Commission/Zoning Board of Appeals for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Common Council after determining whether or not the requested relief is compatible with any contemplated amendments to the City Zoning Law. Unless completely satisfied that the proposed relief is compatible, the Common Council shall deny the application.

D. The Common Council shall conduct a public hearing on any request for relief within forty-five (45) days of receipt of an application by the Planning Department and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 6. PENALTIES.

Any person who shall construct, reconstruct, relocate, enlarge or modify any site to be used for a commercial free-standing solar photovoltaic system in violation of the provisions of this Local Law, shall be subject to:

A. A fine is not to exceed One Thousand and 00/100 Dollars ($1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the City to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this Local Law.

SECTION 7. ENFORCEMENT.

This local law shall be enforced by the Code Enforcement Office of the City of Oneida or such other zoning enforcement individual(s) as designated by the Common Council. It shall be the duty of the enforcement individual(s) to advise the Common Council of all matters pertaining to the enforcement of this Local Law.

SECTION 8. VALIDITY & 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 9. EFFECTIVE DATE.

This Local Law shall take effect immediately upon passage and thereafter shall be filed with the New York State Department of State and shall remain in force and effect for a period of six (6) months from the date of passage.

SANDRA L. LAPERA
CITY CLERK
Adopted November 4, 2026