

**LOCAL LAW FILING**

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
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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 of Gorham**  
Village

Local Law No. **2** of the year **2024**

**A Local Law Amending the Town of Gorham Zoning Local Law to Adopt Regulations Pertaining to Solar Energy Systems**  
(Insert Title)

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

County  
City  
**Town of Gorham** as follows:  
Village

**Section 1.** Article 9 (Special Use Permit Procedures and Criteria) of the Town of Gorham Zoning Local Law is hereby amended with the adoption of a new Section 31.9.20 to read as follows:

§ 31.9.20 Solar energy systems.

A. Authority

This Solar Energy Local Law is adopted pursuant to sections 261-263 of the Town Law and section 20 of the Municipal Home Rule Law of the State of New York, which authorize the Town of Gorham to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and, in accordance with the Town Law of New York State, “to make provision for, so far as conditions may permit, the accommodation of Solar Energy Systems and equipment and access to sunlight necessary therefor.”

## B. Statement of Purpose

This Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town of Gorham by creating regulations for the installation and use of solar energy generating systems and equipment, with the following objectives:

1. To take advantage of a safe, abundant, renewable and non-polluting energy resource;
2. To decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses;
3. To increase employment and business development in the Town of Gorham, to the extent reasonably practical, by furthering the installation of Solar Energy Systems;
4. To mitigate the impacts of Solar Energy Systems on environmental resources such as important agricultural lands, forests, wildlife, and other protected resources; and

C. Definitions. As used in this section, the following terms shall have the meanings indicated:

**ACTIVE AGRICULTURAL LAND:** Land used for a Farm Operation in accordance with Agriculture and Markets Law § 301 – uses of which include production of crops, livestock, and livestock products – within the past five years.

**BATTERY ENERGY STORAGE SYSTEM:** One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time (not to include a stand-alone 12-volt car battery or an electric motor vehicle).

**BUILDING-INTEGRATED SOLAR ENERGY SYSTEM:** A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

**FACILITY AREA:** The cumulative land area occupied during the commercial operation of the solar energy generating facility. This shall include all areas and equipment within the facility's perimeter boundary – including the solar energy system, onsite interconnection equipment, onsite electrical energy storage equipment, and any other associated equipment – as well as any site improvements beyond the facility's perimeter boundary such as access roads, permanent parking areas, or other permanent improvements. The facility area shall not include site improvements established for impact mitigation purposes, including but not limited to vegetative buffers and landscaping features.

**FARM OPERATION:** Land and on-farm buildings, equipment, facilities, and practices which contribute to the production, preparation, and marketing of crops, livestock, and livestock products as a commercial enterprise (in accordance with Agriculture & Markets Law § 301[11]).

**GLARE:** The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

**GROUND-MOUNTED SOLAR ENERGY SYSTEM:** A Solar Energy System which is secured to the ground via a pole, ballast system, or other mounting system; is detached from any other structure; and which generates electricity for onsite or offsite consumption.

**KILOWATT (kW):** A unit of power equal to 1,000 watts. The nameplate capacity of residential and commercial solar energy systems may be described in terms of kW.

**MEGAWATT (MW):** A unit of power equal to 1,000 kW. The nameplate capacity of larger solar energy systems may be described in terms of MW.

**MINERAL SOIL GROUPS 1-4 (MSG 1-4):** Soils recognized by the New York State (NYS) Department of Agriculture and Markets as having the highest value based on soil productivity and capability, in accordance with the uniform statewide land classification system developed for the NYS Agricultural Assessment Program.

**NAMEPLATE CAPACITY:** A solar energy system's maximum electric power output under optimal operating conditions. Nameplate Capacity may be expressed in terms of Alternating Current (AC) or Direct Current (DC).

**NATIVE PERENNIAL VEGETATION:** Native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for Pollinators and shall not include any prohibited or regulated invasive species as determined by the NYS Department of Environmental Conservation.

**ON-FARM SOLAR ENERGY SYSTEM:** A Solar Energy System located on a farm which is a "farm operation" (as defined by Article 25-AA of the Agriculture and Markets Law, which may include one or multiple contiguous or non-contiguous parcels) in an agricultural district, which is designed, installed, and operated so that the anticipated annual total amounts of electrical energy generated do not exceed more than 110 percent of the anticipated annual total electrical energy consumed by the farm operation.

**POLLINATOR:** Bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

**ROOF-MOUNTED SOLAR ENERGY SYSTEM:** A Solar Energy System located on the roof of any legally permitted building or structure that produces electricity for onsite or offsite consumption.

**SOLAR ACCESS:** Space open to the sun and clear of overhangs or shade so as to permit the use of active and/or passive Solar Energy Systems on individual properties.

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

**SOLAR ENERGY SYSTEM:** The components and subsystems required to convert solar energy into electric energy suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy Equipment. A Solar Energy System is classified as a Tier 1 or Tier 2 Solar Energy System as follows.

1. Tier 1 Solar Energy Systems include the following:
  - A. Roof mounted solar energy systems or building integrated solar energy systems.
  - B. Ground mounted solar energy systems with a total solar panel surface area of up to 10,000 square feet that generate up to 110% of the electricity consumed on the lot over the previous 12 months or 110% of the electricity demanded by the lot, and all structures thereon, as determined by current industry standards.
  - C. On-Farm Solar Energy Systems.
2. Tier 2 Solar Energy Systems are Solar Energy Systems which are ground-mounted and are not included under Tier 1 Solar Energy Systems.

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

D. Applicability

1. The requirements of this Local Law shall apply to all Solar Energy Systems permitted, installed, or modified in Town of Gorham after the effective date of this Local Law, excluding general maintenance and repair.
2. Solar Energy Systems constructed or installed prior to the effective date of this Local Law shall not be required to meet the requirements of this Local Law.
3. Modifications to an existing Solar Energy System that increase the Facility Area by more than 5% of the original Facility Area (exclusive of moving any fencing) shall be subject to this Local Law.

E. General Requirements

1. A Building permit shall be required for installation of all Solar Energy Systems.

2. Prior to the issuance of the building permit or final approval by the Planning Board, construction and/or site plan documents must be signed and stamped by a NYS Licensed Professional Engineer or NYS Registered Architect.
3. Determinations by the Planning Board shall include review pursuant to the State Environmental Quality Review Act [ECL Article 8 and its implementing regulations at 6 NYCRR Part 617 (“SEQRA”)].
4. All Solar Energy Systems shall be designed, erected, and installed in accordance with all applicable codes, regulations, and industry standards as referenced in the NYS Uniform Fire Prevention and Building Code (“Uniform Code”), the NYS Energy Conservation Code (“Energy Code”), and the Town of Gorham Municipal Code.

F. Permitting Requirements for Tier 1 Solar Energy Systems

1. All Tier 1 Solar Energy Systems shall be permitted as accessory structures in all zoning districts in the Town.
2. Standards. All Tier 1 Solar Energy Systems shall adhere to the following standards:
  - a. Setbacks. Tier 1 Solar Energy Systems shall be subject to the setback regulations specified for the accessory structures within the underlying zoning district.
  - b. Height. Tier 1 Solar Energy Systems shall be subject to the height limitations specified for accessory structures within the underlying zoning district.
  - c. Lot Size. Tier 1 Solar Energy Systems shall comply with the existing lot size requirement specified for accessory structures within the underlying zoning district.
  - d. Screening and Visibility.
    - i. All Tier 1 Solar Energy Systems shall have views minimized from adjacent properties to the extent reasonably practicable.
    - ii. Solar Energy Equipment shall be located in a manner to reasonably avoid and/or minimize blockage of views from surrounding properties and shading of property to the north, while still providing adequate Solar Access.
3. Tier 1 Solar Energy Systems are subject to the following conditions for each type of Solar Energy Systems:
  - a. Roof mounted solar energy systems

- i. Roof mounted solar energy systems shall incorporate the following:
    - 1) Solar Panels on pitched roofs shall be mounted with a maximum distance of 8 inches between the roof surface the highest edge of the system.
    - 2) Solar Panels on pitched roofs shall be installed parallel to the roof surface on which they are mounted or attached.
    - 3) Solar Panels on pitched roofs shall not extend higher than the highest point of the roof surface on which they are mounted or attached.
    - 4) 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.
  - ii. Glare. All Solar Panels shall have anti-reflective coating(s).
  - iii. Height. All roof mounted solar energy systems shall be subject to the maximum height regulations specified for principal and accessory buildings within the underlying zoning district.
  - iv. Roof mounted solar energy systems shall be exempt from site plan review.
- b. Building integrated solar energy systems
- i. Building integrated solar energy systems shall be exempt from site plan review but shall be shown on the plans submitted for the building permit application for the building containing the system.
- c. Ground mounted solar energy systems
- i. Glare. All Solar Panels shall have anti-reflective coating(s).
  - ii. All Tier 1 ground mounted solar energy systems shall be installed in the side or rear yards in residential districts.
  - iii. All Tier 1 ground mounted solar energy systems shall be subject to site plan approval and applications, including materials for site plan review, shall include the following:
    - 1) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the Solar Energy System. Such information of the final

system installer shall be submitted prior to the issuance of building permit.

- 2) Name, address, contact information, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the Solar Energy System.
- 3) Square footage of all ground-mounted units.
- 4) The amount of electricity consumed on the lot over the previous 12 months or the amount of electricity demanded by the lot, and all structures thereon, as determined by current industry standards.
- 5) Zoning district designation for the parcel(s) of land comprising the Facility Area.
- 6) Property lines and physical features, including roads, for the project site.
- 7) Adjacent land uses on contiguous parcels within a certain radius of the site boundary.
- 8) Proposed changes to the landscape of the site, including site grading, vegetation clearing and planting, the removal of any large trees, access roads, exterior lighting, signage, fencing, landscaping, and screening vegetation or structures.
- 9) A one- or three-line electrical diagram detailing the entire Solar Energy System layout, including the number of Solar Panels in each ground-mount array, solar collector installation, associated components, inverters, electrical interconnection methods, and utility meter, with all National Electrical Code compliant disconnects and over current devices. The diagram should describe the location and layout of all Battery Energy Storage System components if applicable and should include applicable setback and other bulk and area standards.
- 10) A preliminary equipment specification sheet that documents all proposed Solar Panels, system components, mounting systems, racking system details, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.

- iv. The total solar panel surface area of a Tier 1 Ground mounted solar energy systems shall not cause the lot coverage to exceed the requirement in the underlying zoning district and shall otherwise not exceed 25% of the lot coverage requirement in the underlying zoning district.
- v. Tier 1 ground mounted solar energy systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.
- vi. Tier 1 ground mounted solar energy systems shall incorporate the following environmental resources:
  - 1) Tree-cutting. Removal of existing trees larger than 6 inches in diameter should be minimized to the extent possible.
  - 2) To the extent practicable, ground mounted solar energy systems owners shall utilize and maintain native perennial vegetation to provide foraging habitat for pollinators in all appropriate areas within the Facility Area.
  - 3) Use integrated pest management practices to refrain from/limit pesticide use (including herbicides) for long-term operation and site maintenance.

G. Permitting Requirements for Tier 2 Solar Energy Systems.

- 1. All Tier 2 Solar Energy Systems are permitted through the issuance of a special use permit in all zoning districts in the Town, and subject to site plan application requirements set forth in this Section.
- 2. Applications for the installation of Tier 2 Solar Energy Systems shall be:
  - a. Subject to the provisions of Section 31.9.1 of this Chapter, as amended, pertaining to special use permit procedures.
  - b. Subject to the provisions of Article 10 of this Chapter pertaining to site plan review.
- 3. Application & Site Plan Review Requirements. Applications for Tier 2 Solar Energy Systems, including materials for site plan review, shall include the following:



- a. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the Solar Energy System. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- b. Name, address, contact information, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the Solar Energy System.
- c. Nameplate Capacity of the Solar Energy System (as expressed in MW).
- d. Zoning district designation for the parcel(s) of land comprising the Facility Area.
- e. Property lines and physical features, including roads, for the project site.
- f. Map(s) of MSG 1-4 soils and Active Agriculture Lands on the parcel(s) comprising the Facility Area and adjacent parcels.
- g. Adjacent land uses on contiguous parcels within a certain radius of the site boundary.
- h. Proposed changes to the landscape of the site, including site grading, vegetation clearing and planting, the removal of any large trees, access roads, exterior lighting, signage, fencing, landscaping, and screening vegetation or structures.
- i. Erosion and sediment control and storm water management plans prepared to NYS Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Planning Board.
- j. A one- or three-line electrical diagram detailing the entire Solar Energy System layout, including the number of Solar Panels in each ground-mount array, solar collector installation, associated components, inverters, electrical interconnection methods, and utility meter, with all National Electrical Code compliant disconnects and over current devices. The diagram should describe the location and layout of all Battery Energy Storage System components if applicable and should include applicable setback and other bulk and area standards.
- k. A preliminary equipment specification sheet that documents all proposed Solar Panels, system components, mounting systems, racking system details, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.

- l. A Property Operation and Maintenance Plan that describes continuing site maintenance, anticipated dual-use, and property upkeep, such as mowing and trimming.
- m. A Decommissioning Plan signed by the owner and/or operator of the Solar Energy System shall be submitted by the applicant. The decommissioning plan shall address the following:
  - i. The time required to decommission and remove the Solar Energy System and any ancillary structures.
  - ii. The time required to repair any damage caused to the property by the installation and removal of the Solar Energy System.
  - iii. The cost of decommissioning and removing the Solar Energy System, as well as all necessary site remediation or restoration.
  - iv. The provision of a decommissioning security which shall adhere to the following requirements:
    - 1) The filing with the Town of Gorham Clerk of an irrevocable surety bond or other form of security to be issued by at least an A-rated institution solely for the benefit of the Town and reasonably acceptable to the Town of Gorham attorney and approved by the Town Board, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the decommissioning plan and to provide for the removal and restoration of the site subsequent to removal, as required by the decommissioning plan.
    - 2) The amount of the bond or security shall be at least 115% of the cost of removal and site restoration for the Tier 2 Solar Energy System and shall be revisited every 5 years and updated as needed to reflect any changes (due to inflation or other cost changes). In the event ownership of the system is transferred to another party, the new owner (transferee) shall file evidence of an acceptable financial surety with the Town Board at the time of transfer.
    - 3) In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the bond or security shall be forfeited to the Town of Gorham, which shall be entitled to maintain an action thereon. The bond or security shall remain in full force and effect until restoration of the property as set forth in the decommissioning plan is completed.

4. Special Use Permit Standards. The Planning Board may issue a special use permit for a Tier 2 Solar Energy System only after it has found that all the following standards and conditions have been satisfied:
  - a. Underground Requirements. All utility lines located outside of the Facility Area shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
  - b. Vehicular Paths. Vehicular paths within the Facility Area shall be designed in compliance with Uniform Code requirements to ensure emergency access, while minimizing the extent of impervious materials and soil compaction.
  - c. Signage.
    - i. As required by National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
    - ii. A sign not to exceed eight square feet shall be displayed on or near the main access point and shall list the facility name, manufacturer's name, equipment specification information, owner and 24-hour phone number and other emergency contact information.
    - iii. No other signage or graphic content shall be displayed on the Solar Energy System.
  - d. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
  - e. Glare. All Solar Panels shall have anti-reflective coating(s).
  - f. Lighting. Lighting of the Solar Energy Systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.
  - g. Multiple lots. At the discretion of the Planning Board, where a Tier 2 Solar Energy System's Facility Area comprises multiple lots (regardless of ownership by an individual or multiple participating landowners), the combined lots may be treated as a single lot for the purposes of applying specific standards and requirements, including but not limited to lot size and set back requirements.

- h. Lot size. The property on which the Tier 2 Solar Energy System is placed shall meet the lot size requirements of the underlying zoning district.
- i. Setbacks. The minimum front, rear and side setbacks for Tier 2 Solar Energy Systems shall be 150 feet.
- j. Height. The Tier 2 Solar Energy Systems shall comply with the building height limitations for principal structures of the underlying zoning district.
- k. Lot coverage.
  - i. When a Tier 2 Solar Energy System will be on a lot that includes MSG 1 or MSG 2, the lot coverage shall not exceed 10%.
  - ii. When a Tier 2 Solar Energy System will be on a lot that includes MSG 3 or MSG 4, the lot coverage shall not exceed 25%.
  - iii. When a Tier 2 Solar Energy System will be on a lot that includes MSG 5 or greater, the lot coverage shall not exceed 35%.
- l. Fencing Requirements. All mechanical equipment, including any structure for Battery Energy Storage System components, shall be enclosed by a 7-foot-high fence, as required by NEC, with a self-locking gate to prevent unauthorized access.
- m. Screening and Visibility.
  - i. Solar Energy Systems smaller than 10 acres shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.
  - ii. Solar Energy Systems 10 acres or larger shall be required to:
    - 1) Conduct a visual assessment of the visual impacts of the Solar Energy System on public roadways and adjacent properties. At a minimum, a line-of-sight profile analysis shall be provided. Depending upon the scope and potential significance of the visual impacts, additional impact analyses, including for example a digital viewshed report, shall be required to be submitted by the applicant.
    - 2) Submit a screening & landscaping plan to show adequate measures to screen through landscaping, grading, or other means so that views of Solar Panels and Solar Energy Equipment shall be minimized as reasonably practical from

public roadways and adjacent properties to the extent feasible. The screening & landscaping plan shall specify the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping, and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system.

n. Environmental Resources

- i. Tree-cutting. Removal of existing trees larger than 6 inches in diameter should be minimized to the extent possible.
- ii. Tier 2 Solar Energy System owners shall develop, implement, and maintain native vegetation to the extent practicable pursuant to a vegetation management plan by providing Native Perennial Vegetation and foraging habitat beneficial to game birds, songbirds, and Pollinators. To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, the owners shall use native plant species and seed mixes and seed all appropriate areas within the Facility Area. Any project which is designed to incorporate agricultural or farm-related activities or uses within the Facility Area may be excluded from this requirement based on the amount of space actually occupied by the agricultural use(s). This exclusion will only be allowed based on the Planning Board determination that these lands are being used for actual agricultural uses.
- iii. Use integrated pest management practices to refrain from/limit pesticide use (including herbicides) for long-term operation and site maintenance.

H. Safety

1. Solar Energy Systems and Solar Energy Equipment shall be certified under the applicable electrical and/or building codes as required.
2. Solar Energy Systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local fire department and, if the Tier 2 Solar Energy System is located in an ambulance district, the local ambulance corps.
3. If a Battery Energy Storage System is included as part of the Solar Energy System, they shall meet the requirements of any applicable fire prevention and building code when in use and, when no longer used, shall be disposed of in accordance with the laws and regulations of the Town of Gorham and any applicable federal, state, or county laws or regulations.

4. Where deemed necessary by the Planning Board, the Applicant shall ensure emergency access to the Facility Area for local first responders by installing an emergency lock box or similar device, in a location subject to approval by the local fire marshal.

I. Decommissioning Plan and Surety.

1. Acceptance of Decommissioning Plan. The applicant's Decommissioning Plan shall be submitted by the Planning Board, after its initial review, to the Town Engineer for his/her review and recommendation. In addition, the applicant's surety shall also be reviewed by the Town Attorney for his/her recommendation and report to the Planning Board. The Planning Board, as part of Final Site Plan Approval shall recommend to the Town Board, whether to accept the decommissioning plan and surety instrument. The Town Board, based upon its review shall either accept, modify, or deny the form of surety and decommissioning plan being offered. Upon acceptance from the Town Board of the Decommissioning Plan and Surety the Planning Board may continue with site plan application process. Once accepted, the decommissioning plan and surety shall be filed with the Town Clerk's Office within thirty (30) days of the date of the Town Board Resolution.
2. Filing of surety. The surety, once approved by the Town Board, is to remain on file in the Town Clerk's office and shall be available to the Town for the entire existence of the tier two solar energy collection system, including the decommissioning and restoration of the site, after the solar system has ceased operating.
3. Surety failure. In the event the surety fails for any reason, it shall be promptly replaced, within thirty (30) days of the lapse of the surety or else such failure may be found to constitute evidence of abandonment and noncompliance with site plan conditions, warranting the commencement of enforcement procedures for abandonment of the Tier two solar energy collection system.

J. Permit Timeframe and Abandonment

1. The Special Use Permit and site plan approval for a Solar Energy System shall be valid for a period of 36 months, provided that a building permit is issued and construction is commenced within that time period. In the event construction is not completed in accordance with the final site plan – as may have been amended and approved – as required by the Planning Board, within 36 months from the date of final site plan approval, the applicant may request to extend the time to complete construction for 12 months. If the owner and/or operator fails to complete construction within 48 months, the approvals shall expire.
2. Upon cessation of electricity generation of a Solar Energy System on a continuous basis for 12 months, the Town of Gorham may notify and instruct the owner

and/or operator of the Solar Energy System to implement the decommissioning plan. The decommissioning plan must be completed within 12 months of notification.

3. If the owner and/or operator fails to comply with decommissioning upon any abandonment or otherwise fails to fully implement the decommissioning plan, the Town of Gorham may, at its discretion, utilize the bond and/or security for the removal of the Solar Energy System and restoration of the site in accordance with the decommissioning plan.
4. If the owner and/or operator fails to fully implement the decommissioning plan, the Town of Gorham 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 town taxes.

**Section 2.** If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**Section 3.** This local law shall take effect immediately upon 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. \_\_\_\_ of 2024 of the **Town of Gorham** was duly passed by the Gorham Town Board on \_\_\_\_\_, 2024, 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<sup>1</sup>.)**

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)(repassed after disapproval) by the \_\_\_\_\_ 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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ 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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ 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.

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<sup>1</sup> 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 2005 of the City of \_\_\_\_\_ 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 1, above.

\_\_\_\_\_  
Town Clerk

(Seal)

Date: \_\_\_\_\_