



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
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Albany, NY 12231-0001
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 of the year 20 25

Local Law Title: THE TOWN OF CARLTON MORATORIUM ON WIND ENERGY DERIVING TOWERS AND
TRANSMISSION FACILITIES LAW

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one)

of CARLTON as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

TEXT OF LOCAL LAW #1 OF THE YEAR 2025 OF THE TOWN OF CARLTON

ARTICLE I: ENACTMENT, AUTHORIZATION, TITLE, PURPOSE

Section 101: Enactment and Authorization

The Town Board of the Town of Carlton does hereby ordain and enact the Town of Carlton Moratorium on Wind Energy Deriving Towers and Transmission Facilities Law pursuant to authority and provisions of Section 10 of the Municipal Home Rule Law.

Section 102: Title

This local law shall be known as the Town of Carlton Moratorium on Wind Energy Deriving Towers and Transmission Facilities Law.

Section 103: Purpose

- a) It is the purpose of this local law to prevent and avoid serious detrimental health, environmental and planning conditions which threaten the Town of Carlton by allowing degradation of its significant environmental and agricultural resources and in order not to undermine the conscious and continuous determination by the Town to resolve and lessen such threats to the health, safety and welfare of the citizens of the Town.
- b) It is the further purpose of this local law to enable the Town of Carlton to prevent the construction or erection of wind energy deriving towers and associated transmission facilities for a reasonable period of time pending the Town Board's enactment of a local law regulating the construction of such towers and facilities in the Town of Carlton or amending existing regulations of the same.

ARTICLE II: IMPOSITION OF MORATORIUM

Section 201: Imposition of Moratorium

For a period of one hundred eighty (180) days after the date of filing this local law with the Department of State, no application for the construction or erection of wind energy deriving towers or transmission facilities may be filed, nor will any such application be accepted or processed. For the purpose of this local law, an "application" shall be deemed to mean any request for official action by the Town Board, Planning Board, Code Enforcement Officer, or Building Inspector which would in any way commence or continue the process whereby a wind energy deriving tower or associated transmission facilities is or may be constructed or erected.

ARTICLE III: VALIDITY

SECTION 301: Validity

If any section, sentence, clause or phrase of this local law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this local law.

ARTICLE IV: APPEALS

Section 401: Appeals

A party aggrieved by the provisions of this local law may file an appeal with the Town of Carlton Zoning Board of Appeals. The Town of Carlton Zoning Board of Appeals shall act upon an application for an appeal from this local law in conformance with the procedural requirements and standards of the Town of Carlton Zoning Ordinance and the Town Law of the State of New York.

ARTICLE V: EFFECTIVE DATE

Section 501: Effective Date

This local law shall take effect immediately upon filing with the Department of State.

Local Law Filing

(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 ascribed as local law number 1 of 2025 of the (County)(City)(Town)(Village) of CARLTON was duly passed by the TOWN BOARD on April 8 2025 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, ascribed as local law number _____ 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____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ 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____.

(Name of Legislative Body)

(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, ascribed as local law number _____ 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.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* 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.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having 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 thereto, ascribed as local law number _____ 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 the paragraph 1 above.



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

April 9, 2025

(Date)

(Seal)