

**TOWN OF ONONDAGA
TOWN BOARD RESOLUTION**

March 25, 2026

TOWN OF ONONDAGA LOCAL LAW NO. B OF 2026

("A Local Law Imposing a Six (6) Month Moratorium on Battery Energy Storage Systems
Within the Town of Onondaga")

The following resolution was offered by Councilor _____, who moved its adoption, seconded by Councilor _____, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2026, "A Local Law Imposing a Six (6) Month Moratorium on Battery Energy Storage Systems Within the Town of Onondaga," was presented and introduced at a regular meeting of the Town Board of the Town of Onondaga held on March 2, 2026; and

WHEREAS, a public hearing was held on such proposed local law on this 25th day of March, 2026, by the Town Board of the Town of Onondaga and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Onondaga in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Local Law No. B-2026 has previously been determined to be an Type II action under SEQR, thus concluding the environmental review process; and

WHEREAS, it is in the public interest to enact said Local Law No. B-2026.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Onondaga, Onondaga County, New York, does hereby enact Local Law No. B-2026 as Local Law No. 1-2026 as follows:

**“TOWN OF ONONDAGA
PROPOSED LOCAL LAW NO. 1-2026**

**A Local Law Imposing a Six (6) Month Moratorium
on Battery Energy Storage Systems Within the Town of Onondaga**

Be it enacted as follows:

Section 1: Intent

It is the intent of the Town Board of the Town of Onondaga to impose a six (6) month moratorium on the siting, establishment, placement, installation, construction, erection, modification and enlargement of battery energy storage systems within the Town of Onondaga. This local law is enacted under the authority of Section 10 of the New York Municipal Home Rule Law.

Section 2: Legislative Purpose

The purpose of this local law is to temporarily halt development of battery energy storage systems, for a period of up to six (6) months, while the Town considers zoning changes and the enactment of zoning measures to specifically address matters of community concern.

The Town Board recognizes and acknowledges that the Town 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 Town 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 Town-wide basis and to adopt land use regulations for provisions to specifically regulate same.

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.

Section 4: Moratorium

A. The Town Board hereby enacts a moratorium which shall prohibit the siting, establishment, placement, installation, construction, erection, modification, and enlargement of battery energy storage systems anywhere within the Town of Onondaga.

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 Town Board of a resolution indicating the Town Board 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 Town.

D. Battery energy storage systems which have previously been approved or are located on Town-owned property 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 battery energy storage systems is prohibited while the moratorium is in effect.

Section 5: Relief from Provisions of this Local Law

A. The Town Board 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 Town Code Enforcement Office 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 attorney's fees, incurred by the Town, shall be reimbursed to the Town by the Applicant. The Town Board shall apply Use Variance criteria as set forth in the New York State Town Law, Section 267-b (2) in reviewing any application for relief.

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

D. The Town Board shall conduct a public hearing on any request for relief within forty-five (45) days of receipt by the Town Code Enforcement Office 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, firm or corporation that shall establish, place, construct, enlarge or erect any battery energy storage systems in violation of the provisions of this local law or shall otherwise violate any of the provisions of this local law shall be subject to:

A. A fine 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 Town 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 Town of Onondaga or such other zoning enforcement individual(s) as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board 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.”

The question of the enactment of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John Wheatley	Councilor	Voted	Yes/No
Lisa Goodwin	Councilor	Voted	Yes/No
Kathy Fedrizzi	Councilor	Voted	Yes/No
Ellen Magnarelli Terrien	Councilor	Voted	Yes/No
John P. Mahar	Supervisor	Voted	Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: March 25, 2026

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF ONONDAGA)

I, the undersigned Clerk of the Town of Onondaga, Onondaga County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of March __, 2026.

Janet Hillery, Town Clerk

(SEAL)