

TOWN OF SIDNEY
LOCAL LAW NO 002 of 2026
BATTERY ENERGY STORAGE SYSTEM (BESS) PROJECT DEVELOPMENT
MORATORIUM LOCAL LAW

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

ARTICLE I: ENACTMENT, AUTHORIZATION, TITLE, PURPOSE

Section 101 Enactment and Authorization

The Town Board of the Town of Sidney does hereby ordain and enact the Town of Sidney Moratorium on Battery Energy Storage System (BESS) Project Development Local Law pursuant to the 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 Sidney Moratorium on Battery Energy Storage System (BESS) Project Development Local Law.

Section 103 Purpose

- a) It is the purpose of this law to prevent and avoid serious detrimental health, environmental and planning conditions which threaten the Town of Sidney 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 of Sidney.
- b) It is the further purpose of this law to enable the Town of Sidney to stop the construction or erection of Battery Energy Storage System (BESS) projects and associated transmission facilities for a reasonable time pending the completion of a local law regulating the construction of the aforesaid facilities in the Town of Sidney.

ARTICLE II: IMPOSITION OF MORATORIUM

Section 201 Imposition of Moratorium

For a period of three hundred and sixty-five (365) days from and after the adoption date of this local law, no application for the construction or erection of Battery Energy Storage System (BESS) projects and associated facilities may be filed, accepted or processed. For the purpose of this local law an application for construction shall be deemed to mean any request for official action by the Town Board, Planning Board, Code Enforcement Officer, or Building Inspector which request an approval would in any way commence or continue the process whereby a Battery Energy Storage System (BESS) project or associated 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 law.

ARTICLE IV: APPEALS

Section 401 Appeals

A party aggrieved by the provisions of this Local Law may file an appeal to the Town of Sidney Zoning Board of Appeals. The Town of Sidney 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 Zoning Law.

ARTICLE V: EFFECTIVE DATE

Section 501 Effective Date

This local law shall take effect immediately upon the filing with the Secretary of State pursuant to the Municipal Home Rule Law.