



Village of Cayuga Heights

**MARCHAM HALL
836 HANSHAW ROAD
ITHACA, NEW YORK 14850**

(607) 257-1238
fax (607) 257-4910

Kathryn D. Supron, Mayor
Joan M. Mangione, Clerk & Treasurer
Angela M. Podufalski, Deputy Clerk
Brent A. Cross, Engineer

January 27, 2016

New York State Department of State
Division of Corporations
State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

Please find enclosed filing documents for Village of Cayuga Heights
Local Law 1 of the Year 2016.

**A LOCAL LAW TO ESTABLISH
SOLAR ENERGY COLLECTOR REQUIREMENTS**

Feel free to contact me if you have any questions.

Thank you.

Sincerely,

Joan M. Mangione
Village Clerk & Treasurer

/Enclosures

**Police Dept. & Village Administration
OFFICE HOURS
9 AM – 4:30 PM**

<http://www.cayuga-heights.ny.us>

Local Law Filing

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 Village
(Select one:)

of **Village of Cayuga Heights**

Local Law No. 1 of the Year 2016

A LOCAL LAW TO ESTABLISH SOLAR ENERGY COLLECTOR REQUIREMENTS

Be it enacted by the **Board of Trustees** of the

County City Town Village
(Select one:)

of the **Village of Cayuga Heights** as follows:

See Attached Pages 1-3 and Certification page

VILLAGE OF CAYUGA HEIGHTS

Local Law 1 of the Year 2016

A LOCAL LAW TO ESTABLISH SOLAR ENERGY COLLECTOR REQUIREMENTS

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I **PURPOSE AND INTENT**

It is the intent of this Local Law to facilitate the use of solar energy collectors to encourage the development of renewable energy sources, but also to recognize that regulation of the installation, location maintenance and operation of solar collectors are matters of public importance involving issues of safety, neighborhood character, and possible depreciated property values by reason of improperly installed, located, maintained or operated collectors. The purpose of this Local Law is to establish requirements for the installation, location, maintenance and operation of solar collectors on properties in the Village of Cayuga Heights (the "Village").

SECTION II **AUTHORITY**

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal home Rule Law.

SECTION III **GENERALLY APPLICABLE STANDARDS**

A. All solar energy collectors installed in the Village shall be subject to the following requirements:

1. Solar energy collectors shall be permitted only to provide power for use by owners, lessees, tenants, residents, or other occupants of the premises on which they are erected, but nothing contained in this provision shall be construed to prohibit the sale of excess power through "net metering" or "net billing" or a similar program in accordance with New York Public Service Law 66-J or similar State or federal statute; and
2. Solar collectors shall be designed, located, and tilted to minimize reflective glare toward vehicles on adjacent roads and to the extent practicable toward inhabited buildings on adjacent properties; and
3. Solar energy collectors shall be located in locations and configurations that mitigate their visibility from surrounding properties to the extent practicable; and
4. Solar energy collectors shall be considered structures for the purpose of compliance with Village laws and ordinances, shall require a building permit and certificate of occupancy issued by the Village's Code Enforcement Officer, and shall comply in their design, construction, and operation with all other Village laws and ordinances, unless specifically excluded by this Local Law.

B. Roof mounted solar collectors are permitted in all zoning districts in the Village, subject to the following requirements:

1. The area covered by collectors shall not exceed eighty (80%) percent of the entire roof area;
2. There shall be a minimum set back from all roof edges in accordance with New York State Building Code;
3. On a pitched roof, collectors shall be mounted no more than twelve (12) inches above the nearest adjacent roofing surface to which they are affixed and shall not extend beyond the highest point of the roof; and
4. On a flat roof, collectors shall be installed in a manner and to a maximum height not to exceed three (3) feet above the nearest adjacent roofing surface that minimizes their visibility from surrounding properties and roads, without hindering energy production.

- C. Ground-mounted solar collectors are permitted as an accessory use in all zoning districts of the Village, subject to the following requirements:
1. Collectors shall be located in side or rear yards;
 2. Collector locations shall meet all applicable setback requirements of the zoning district in which they are located;
 3. The height of any collector and any mount shall not exceed 15 feet from ground elevation at any point when oriented at maximum tilt;
 4. The total footprint on the ground of all such collectors on any one lot shall not exceed 500 square feet;
 5. The area beneath any collector shall be included in the calculation of lot area coverage;
 6. No collector may be sited within a riparian streamside buffer or any buffer required for some other conservation purpose;
 7. Such installations should employ where practicable vegetative landscape screening and man-made screening methods which harmonize with the character of the property and surrounding neighborhood to minimize collector and mount visibility from adjacent properties and roads;
 8. Installations should minimize view blockage from and shadow impacts on neighboring properties;
 9. Installations must be performed by a qualified solar installer;
 10. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use and, when no longer used, shall be disposed of in accordance with the laws and regulations of Tompkins County and other applicable laws and regulations;
 11. If a collector ceases to perform its originally intended function for more than twelve (12) consecutive months, the property owner shall remove the collector, mount, and associated equipment and facilities by no later than ninety (90) days after the end of the twelve (12) month period; and
 12. For a project that requires site plan approval, and which also includes the installation of ground-mounted solar collectors, the site plan review shall include review of the adequacy, location, arrangement, size, design, and general site compatibility of any proposed collector.

SECTION IV APPEAL

In the event that any owner of any property located in the Village determines that they are aggrieved by the requirements of this Local Law, said owner may apply to the Village's Board of Zoning Appeals to seek an area variance for the construction of a solar collecting facility on their property, and the Board of Zoning Appeals shall review such appeal in accordance with the procedural and substantive requirements of an area variance appeal.

SECTION V PENALTIES FOR OFFENSES AND ENFORCEMENT

Any person who, themselves or by an agent or employee, shall violate any of the provisions of this Local Law, shall be guilty of a violation and subject to a fine of not less than \$100 and not more than \$500 per offense. Each day's violation shall constitute a separate offense. The terms of this Local Law will be enforced by the Village's Code Enforcement Officer.

SECTION VI SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of the Zoning Ordinance of the Village of Cayuga Heights are deemed to be in conflict with the requirements of this Local Law, the terms of this Local Law shall govern and control.

SECTION VII PARTIAL INVALIDITY

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION VIII EFFECTIVE DATE

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2016 of the **Village of Cayuga Heights** was duly passed by the **Board of Trustees** on **January 19, 2016**, in accordance with the applicable **Village of Cayuga Heights Board of Trustees** provisions of law.

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 above.



John Mangione
Village Clerk & Treasurer

Date: _____

STATE OF NEW YORK }
COUNTY OF TOMPKINS }

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Karl Mann
Signature

Village Attorney

Title

Village of Cayuga Heights

Date: 1/27/16