

**LOCAL LAW NO. 1 OF THE YEAR 2026**

**TOWN OF CAMBRIA**

**COUNTY OF NIAGARA, STATE OF NEW YORK**

**A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months**

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

**SECTION 1. PURPOSE AND INTENT**

The purpose of this Local Law is to amend the relevant laws and ordinances of the Town of Cambria to impose a moratorium on the processing, permitting and/or construction of all Utility-Scale Electrical and Battery Energy Storage Systems (whether or not developed in conjunction with a Solar Energy production component) within the Town for a period of nine (9) months. "Utility-Scale" being defined as such systems as are designed to store and distribute electricity at a grid level and excluding stand-alone batteries designed to power automobiles, agricultural vehicles and equipment and electric motor vehicles. Recognizing that the Town is to be host to a Solar Energy production operation, and that Electrical and Battery Energy Storage System operations have historically been proposed for placement within localities hosting such Solar Energy production operations, a moratorium will grant the Town Board ample time to examine, draft, review, and adopt an effective updated policy regarding such Electrical and Battery Energy Storage Systems, and ensure adequate restrictions and regulations are put into place as may be necessary to promote and preserve the health, safety and welfare of the Town of Cambria and its citizens.

**SECTION 2. AUTHORITY**

This moratorium is adopted pursuant to the New York State Constitution, Article IX, § 2(c)(6) and (10); the New York Statute of Local Governments, Article II, § 10, Subdivisions 1 and 7; Town Law §§ 261 through 263; and New York State Municipal Home Rule Law § 10. In particular, this Local Law shall supersede those provisions of the Town Zoning Ordinance, the Town's 2022 Local Law Regulating Battery Energy Storage Systems and New York State Law which require the Town Board, Planning Board, and/or Zoning Board of Appeals to accept, process, and/or approve applications for the development of such Battery Energy Storage Systems defined as "Utility-Scale" herein within specified statutory time periods.

**SECTION 3. FINDINGS.**

The Town Board hereby finds and determines that although such systems are often associated with, or operate in service of, utility scale solar energy systems, these systems themselves are not akin to public utilities and that without a temporary halt on the processing, permitting, and approvals for Utility-Scale Electrical and Battery Energy Storage Systems, there is the potential that such uses could be located in unsuitable areas within the Town or installed in such a manner so as to alter the fabric of the community in contravention of the Town's Comprehensive Plan. Such uses could have materially adverse and irreversible impacts on the Town, and may threaten the health, safety or welfare of the Town's citizens.

The Town Board also finds that it is in need of additional time to perform the necessary analysis of the potential types of Utility-Scale Electrical and Battery Energy Storage Systems that may be appropriate to meet the needs of the community, and the locations and areas where such systems may be properly situated so as to provide for the planned orderly growth and development of the Town.

**SECTION 4. MORATORIUM IMPOSED; APPLICABILITY.**

For the period of nine (9) months, commencing on the effective date of this Local Law, or until such time as the Town of Cambria passes a further Local Law directly addressing Utility-Scale Electrical and

Battery Energy Storage Systems, whichever is sooner, there shall be a moratorium on the processing, permitting, and/or construction of all Utility-Scale Electrical Energy Storage Device Systems within the Town of Cambria.

**SECTION 5. TERM.**

This law shall take effect immediately upon adoption by the Town Board, as provided by the law and shall remain in full force and effect for a period of nine (9) months from its effective date.

**SECTION 6. SEVERABILITY**

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity or any other part of this Local Law which shall be in effect.