

3784

2013-2014 Regular Sessions

I N   S E N A T E

February 15, 2013

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Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law and the village law, in relation to requiring local building and planning regulations to accommodate the use of renewable and alternative energy sources

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 263 of the town law, as amended by chapter 602 of  
2     the laws of 2003, is amended to read as follows:  
3     S 263. Purposes in view. Such regulations shall be made in accordance  
4     with a comprehensive plan and designed to lessen congestion in the  
5     streets; to secure safety from fire, flood, panic and other dangers; to  
6     promote health and general welfare; to provide adequate light and air;  
7     to prevent the overcrowding of land; to avoid undue concentration of  
8     population; to make provision for, so far as conditions may permit, the  
9     accommodation of [solar energy systems and equipment and access to  
10    sunlight necessary therefor] RENEWABLE ENERGY RESOURCES AS DEFINED IN  
11    SUBDIVISION TWELVE OF SECTION 1-103 OF THE ENERGY LAW; to facilitate the  
12    practice of forestry; to facilitate the adequate provision of transpor-  
13    tation, water, sewerage, schools, parks and other public requirements.  
14    Such regulations shall be made with reasonable consideration, among  
15    other things, as to the character of the district and its peculiar suit-  
16    ability for particular uses, and with a view to conserving the value of  
17    buildings and encouraging the most appropriate use of land throughout  
18    such municipality.  
19    S 2. Section 7-704 of the village law, as amended by chapter 742 of  
20    the law of 1979, is amended to read as follows:  
21    S 7-704 Purposes in view. Such regulations shall be made in accordance  
22    with a comprehensive plan and designed to lessen congestion in the  
23    streets; to secure safety from fire, panic, floods and other dangers; to  
24    promote health and the general welfare; to provide adequate light and

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 air; to prevent the overcrowding of land; to avoid undue concentration  
2 of population; to make provision for, so far as conditions may permit,  
3 the accommodation of [solar energy systems and equipment and access to  
4 sunlight necessary therefor] RENEWABLE ENERGY RESOURCES AS DEFINED IN  
5 SUBDIVISION TWELVE OF SECTION 1-103 OF THE ENERGY LAW; to facilitate the  
6 adequate provision of transportation, water, sewerage, schools, parks  
7 and other public requirements. Such regulations shall be made with  
8 reasonable consideration, among other things, as to the character of the  
9 district and its peculiar suitability for particular uses, and with a  
10 view to conserving the value of buildings and encouraging the most  
11 appropriate use of land throughout such municipality.  
12 S 3. This act shall take effect immediately.