

**Local Law No.4 of 2018**

**A Local Law to amend Law #1 of 1989 (as revised and amended thereafter) by amending Article 18.50(4)[f]: COMMERCIAL SOLAR ENERGY SYSTEM as it pertains to decommissioning bonding**

**Section 1:**

ARTICLE 18: SOLAR ENERGY SYSTEMS, Section 18.50: COMMERCIAL SOLAR ENERGY SYSTEM of Local Law #1 of 1989 (as revised and amended thereafter), is hereby amended to replace the language in Section 4(f) with the following language:

- (f) The applicant shall provide the Town with a bond in the amount determined by the Town Board but in no case less than the cost estimate developed by a third party, licensed professional engineer. The engineer shall be hired by the applicant to develop the cost estimate. The estimate shall be based on the size and scope of construction of the solar farm. The cost estimate shall cover the complete removal of the solar system and all of the remediation to the landscape. In the event the bonding company must remove the facility, it must be done to the satisfaction of the Town. The bond shall be in the form acceptable to the Town attorney, which includes but not limited to the letter of credit, perpetual bond, or combinations thereof. The amount shall be reviewed every 5 years by the Town Board and shall be adjusted if deemed necessary. If the bond is deemed to be adjusted, the applicant shall have 90 days from notice to provide an adjusted bond.

**Section 2: SEVERABILITY OF PROVISIONS**

Should any section or provision of this Local Law be declared null, void, voidable or invalid, such finding shall not affect the validity of the remaining portions of this local law.

**Section 3: EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State's Office.