

## **LOCAL LAW NO. 1 OF 2026**

### **A LOCAL LAW TO ESTABLISH A TEMPORARY MORATORIUM ON THE INSTALLATION OF BATTERY ENERGY STORAGE SYSTEMS**

***BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF MOHAWK AS  
FOLLOWS:***

#### **SECTION 1. Subject and Authority**

The Town of Mohawk hereby enacts a temporary six (6) month moratorium on the permitting and installation of any Battery Energy Storage Systems within the Town. This Local Law is adopted in accordance with Municipal Home Rule Law §10 and shall be as follows:

#### **SECTION 2. Purpose**

The continued growth of the renewable energy industry continues raises ongoing concerns about the siting of Battery Energy Storage Systems. The current Battery Energy Storage Systems in the Town of Mohawk needs to be updated to respond to emerging problems with the siting of Battery Energy Storage Systems. The Town Board believes it is necessary to establish a Local Law enacting a temporary six (6) month moratorium on installation of any Battery Energy Storage Systems in order to protect public health, safety and welfare. Recognizing this need, the Town believes that such six (6) month moratorium is necessary to allow the Town Board time to study these issues in order to establish appropriate, updated regulations for these Battery Energy Storage Systems. This moratorium applies to all new proposed Battery Energy Storage Systems. It does not apply to any applications for Battery Energy Storage Systems that have been accepted as complete for review by the Town Planning Board as of the effective date of this Local Law. After the effective date of this Local Law establishing the moratorium applications that have not been accepted as complete shall not be reviewed by the Planning Board while the moratorium is in effect.

#### **SECTION 3. Moratorium**

The Town of Mohawk hereby imposes a moratorium on the installation of Battery Energy Storage Systems located in the Town until November 14, 2026 or any earlier date that the Town Board adopts regulations relating to the installation of Battery Energy Storage Systems. This moratorium applies to all Battery Energy Storage Systems as defined in the Town of Mohawk's

current Battery Storage Law. It does not apply to any applications for Battery Energy Storage Systems that have been accepted as complete for review by the Town Planning Board as of the effective date of this Local Law. After the effective date of this Local Law establishing the moratorium applications that have not been accepted as complete shall not be reviewed by the Planning Board while the moratorium is in effect.

#### **SECTION 4. Extensions**

This moratorium may be extended by resolution of the Town Board for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the citizens of the Town of Mohawk.

#### **SECTION 5. Termination**

This moratorium shall be terminated earlier than November 14, 2026 upon enactment of any local legislation which adopts regulations relating to Battery Energy Storage Systems.

#### **SECTION 6. Effective Period**

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State as provided in Municipal Home Rule Law § 27 or as otherwise provided by law.