



LOCAL LAW NO. 1 OF 2026

A Local Law Imposing a Temporary Moratorium on Battery Energy Storage Systems and Data Centers

SECTION 1. TITLE

This local law shall be known as “Local Law No. 1 of 2026 – Moratorium on Battery Energy Storage Systems and Data Centers.”

SECTION 2. AUTHORITY

This Local Law is adopted pursuant to the authority granted to municipalities by the New York State Constitution, the New York State Municipal Home Rule Law, and the New York State Town Law, including the authority to enact land use regulations to protect the public health, safety, and welfare.

SECTION 3. LEGISLATIVE FINDINGS AND INTENT

The Town Board of the Town of Randolph hereby finds that Battery Energy Storage Systems (BESS) and Data Centers are emerging land uses with potentially significant impacts related to fire safety, energy demand, noise, environmental resources, infrastructure capacity, and community character.

Existing local zoning and land use regulations do not adequately address the siting, scale, operational characteristics, or cumulative impacts of Battery Energy Storage Systems or Data Centers.

The rapid pace of technological development and increasing private-sector interest in these facilities necessitate careful study and planning before permitting such uses within the municipality.

A temporary moratorium is necessary to allow the Town sufficient time to:

- Study the potential impacts of Battery Energy Storage Systems and Data Centers;
- Review best practices and state and federal guidance;
- Develop appropriate zoning, safety, and operational standards;
- Protect the public health, safety, and welfare of residents.

The intent of this Local Law is to temporarily suspend the acceptance, review, and approval of applications for Battery Energy Storage Systems and Data Centers while the Town evaluates and considers appropriate long-term regulations.

SECTION 4. DEFINITIONS

For purposes of this Local Law, the following terms shall have the meanings indicated:

A. Battery Energy Storage System (BESS)

One or more devices, units, or systems designed to store electrical energy in chemical batteries and discharge that energy at a later time, including associated equipment such as containers, enclosures, inverters, transformers, cooling systems, fire suppression systems, and related infrastructure.

B. Data Center

A facility or group of facilities used primarily for the housing, operation, and maintenance of computer servers, data storage systems, network equipment, and associated infrastructure, including but not limited to cooling systems, backup power supplies, generators, and energy distribution equipment. This term does not include customary accessory computer or server rooms incidental to an otherwise permitted principal use.

SECTION 5. MORATORIUM IMPOSED

A. During the term of this moratorium, the Town of Randolph shall not accept, process, review, approve, or issue any permits, approvals, variances, special use permits, site plan approvals, building permits, or other land use or development approvals for:

- Battery Energy Storage Systems; or
- Data Centers.

B. This moratorium shall apply to all zoning districts within the Town.

SECTION 6. EXEMPTIONS

The following shall be exempt from this moratorium:

1. Ordinary maintenance or repair of existing lawful structures that does not expand capacity or change use.
 2. Emergency repairs necessary to protect public safety.
 3. Residential or accessory battery systems serving a single-family or farm use.
-

SECTION 7. TERM OF MORATORIUM

This moratorium shall remain in effect for a period of twelve (12) months from the effective date of this Local Law, unless sooner repealed or extended by resolution or local law of the Town Board.

SECTION 8. SEQRA DETERMINATION

The Town Board determines that this Local Law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations, as it constitutes a temporary moratorium for the purpose of studying land use regulations.

SECTION 9. SEVERABILITY

If any section, subsection, sentence, clause, or provision of this Local Law is held invalid by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Local Law.

SECTION 10. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with the Municipal Home Rule Law.