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LACKAWANNA PASSES ORDINANCE PROHIBITING BATTERY ENERGY STORAGE SYSTEMS

*Incompatibility with 'highest and best use' standard for economic development and
public safety concerns cited in implementing city-wide ban*

FOR IMMEDIATE RELEASE

LACKAWANNA, N.Y. (Wednesday, October 22, 2025) – the City of Lackawanna (the 'City') today announced the creation of a new subchapter within the City's Municipal Code which prohibits the construction and operation of any tier of commercial Battery Energy Storage System (BESS) city-wide.

An ordinance establishing the new subchapter was unanimously passed by the Lackawanna City Council during their Monday, October 20, 2025 business meeting and signed into the City's Municipal Code by Mayor Annette Iafallo today.

In support of its decision to prohibit BESS facilities, the City cited the incompatibility of such projects with its strategic economic development goals and public safety concerns:

"The City of Lackawanna fully supports the creation of accessible and cost-effective alternative energy sources which benefit property owners. However, the growing national trend of constructing private commercial Battery Energy Storage System facilities to deliver those resources is not viewed as compatible with the 'highest and best use of land' standard the City has used to select and implement economic development projects since 2020, which collectively have created significant growth in new jobs, revenues and infrastructure for Lackawanna," said Charles D. Clark, Director of Development, Marketing & Public Information.

"In addition, the lithium-ion battery technology often used in BESS facilities is potentially highly flammable; which is risky for a landlocked and densely-developed community like Lackawanna where the ability to establish setbacks necessary to fully buffer neighborhoods from industrial activity is limited. Under these conditions, and in the most extreme case, if a BESS facility located in Lackawanna caught on fire it would liken to the catastrophic 2016 industrial fire on Route 5 near the Bethlehem Park neighborhood – a situation we hope to never experience again" said Clark.

The only exception to the City of Lackawanna's new ordinance would involve any future decision(s) by the New York State Public Service Commission (PSC) to locate a suitable BESS facility on appropriately zoned land in the City which is already owned / operated by public utility companies in relation to their core services and infrastructure, in consultation with the City of Lackawanna.