

**VILLAGE OF CENTRE ISLAND  
PROPOSED LOCAL LAW E-2019  
EXTENSION OF MORATORIUM ON NEW REQUESTS FOR  
HELICOPTER LANDINGS AND TAKE-OFFS  
AND  
HELIPADS**

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Centre Island as follows:

**SECTION 1.** The provisions of Local Law 2-2018 are re-adopted and reaffirmed for an additional six (6) month period as set forth below.

**ARTICLE I. Legislative Intent and Purpose:**

Under the provision of Local Law 2-2018 duly adopted on August 8, 2018, the Board of Trustees hereby finds as follows:

1) That the use of property for the landing or taking-off of helicopters or other aircraft within the Village of Centre Island can constitute a nuisance, creating unacceptable noise and disruption to the quiet use and enjoyment of property reasonably expected by Village residents. It is the purpose and intent of this moratorium to prohibit new landing or taking-off of helicopters/aircraft within the Village as a means of transportation other than as an accessory use of residential premises under the conditions stated below as specifically associated with the health, safety and welfare of Village residents.

2) The possible potential impacts and adverse effects of an increase in the number of helipad development on the Village, its residents, and the surrounding environment warrant a current review of the regulations on helipads and landings and take-offs to ensure that the future growth and development of the Village is properly addressed and adequately provided for.

3) It is the intent of the Board of Trustees to continue its review of the requirements and regulations for helipads, landings and take-offs in the Village and the purpose of this law to provide a temporary moratorium from new requests for helipads or for helicopters landing and taking-off in the Village while this review is being conducted. The temporary suspension of new helipads and helicopters landing and taking-off will prevent unnecessary and irreparable destruction or damage to the physical elements of the Village, protect its water resources, preserve the existing quality of life and property values in the Village, and secure the health, safety and general welfare of the community while the review is being conducted.

4) The Board finds that a temporary prohibition of new requests for helipads or new requests to have helicopters land or take-off in the Village, and prohibiting the Building Inspector and other agencies of the Village from considering any such request is appropriate. This temporary action will accomplish the Village's objectives that future helicopter use in the Village will be compatible with and not in conflict with any update or future amendment to the Village's Code or other local laws resulting from the review.

In extending the Moratorium on, “*New Requests for Helicopter Landings and Take-offs*” imposed by Local Law 2-2018, the Board of Trustees further finds as follows:

- (a) The Board of Trustees have retained QED, Airport and Aviation Consultants, which have been diligently studying helipads and helicopters landing and taking-offs in the Village and are presently reviewing draft legislation to preserve the existing quality of life and property values in the Village, and secure the health, safety and general welfare of the community.
- (b) it is the purpose of this law to provide a further temporary moratorium on the suspension of new helipads and helicopters landing and taking-off within the Village to allow the study to be concluded and the consultant’s recommendations considered and implemented. Until this study is concluded, it is important that the moratorium imposed by Local Law 2-2018 be extended to insure will prevent unnecessary and irreparable destruction or damage to the physical elements of the Village, protect its water resources, preserve the existing quality of life and property values in the Village, and secure the health, safety and general welfare of the community.

## **ARTICLE II. Moratorium**

**Section 1.** Effective immediately and continuing for a period ending November 18, 2019, no new requests for a helipad or request to have a helicopter land or take-off in the Village of Centre Island shall be processed or considered by the Village. Existing helipads and the landing and take-off of helicopters having all the necessary local, state and federal approvals presently existing may continue during this period.

**Section 2.** The Board of Trustees may, by resolution, terminate this moratorium prior to its expiration, or alternatively, extend the moratorium provided for an additional ninety (90) day period, as the Board of Trustees, in its sole discretion, deems necessary to allow the review to be completed.

**Section 3.** In the event that this local law causes a severe and substantial financial hardship to any property owner, an application may be made in writing to the Board of Trustees requesting an exemption from the provisions of this law. The Board of Trustees may grant such exemption where, in its sole discretion, the Board of Trustees determines financial hardship exists as a result of the application of the provisions of this law. If an application is granted, the Board of Trustees may impose any conditions it deems reasonable or necessary.

## **ARTICLE III.**

If any section, provision or part of this local law shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the local law as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

**SECTION 2.** This local law shall take effect upon the filing with the Secretary of State.