

Local Law Filing

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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of _____

Local Law No. 2 of the year 2016

A local law establishing a moratorium on uses such as "Hookah Bars" and
(insert Title)
"Vape Shops" within the Incorporated Village of Floral Park.

Be it enacted by the _____ of the
(Name of Legislative Body)

County City Town Village
(Select One.)

of Floral Park as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1) Legislative Intent: The purpose of this local law is to promote and protect the public health, safety and welfare of the Incorporated Village of Floral Park by enacting a local law which establishes a moratorium on certain uses in the Business District of the Incorporated Village of Floral Park. Under authority conferred by ARTICLE III, Section 99-11.B.(1) of the Code of the Incorporated Village of Floral Park, these uses may have been included or construed to be permitted uses.

The Village Board of Trustees has requested the moratorium be enacted so that it might have sufficient opportunity to evaluate the permitted uses in the Village's Business Districts and to determine whether the permitted uses should be statutorily amended, altered, modified, expanded or repealed. This moratorium will provide an opportunity for the Village Board of Trustees to evaluate the changes needed without the possibility of new businesses opening that might conflict with the plan being developed. The Village Board has determined a moratorium be established prohibiting certain permitted uses in the Business District. In establishing this moratorium, the Village Board of Trustees has also considered:

1. The need for conserving the value of buildings and land and the need to encourage the most appropriate use of land.
2. The need to attract retail business of such a character as to encourage, foster and promote the revitalization of the Business Districts.
3. To ensure adequate parking and lessen congestion, while balancing the need for business growth.
4. To provide adequate light and air.
5. To ensure physical compatibility with surrounding uses.
6. To establish a comprehensive plan, without the pressure of new businesses that conflict with the overall goal of revitalization.
7. To encourage historic preservation.

(2) Prohibitions:

By adoption of this local for the term hereof the following uses are specifically prohibited notwithstanding any provision of the Code of the Incorporated Village of Floral Park.

a) to operate any facility or location whose business operation, whether as its primary use or as an ancillary use, includes the smoking of tobacco or other substances through one or more hookah pipes (also commonly referred to as hookah, waterpipe, shisha or narghile), including, but not limited to, establishments known variously as hookah bars, hookah lounges, or hookah cafes.

b) to operate any facility or location whose business operation, whether as its primary use or as an ancillary use, includes the smoking or selling of vapors, e-liquids, or other substances that are smoked through an electronic cigarette, including, but not limited to, establishments known variously as vape shops.

c) To operate any facility whose business operation, whether as an ancillary use, includes the smoking, or selling or medicinal marijuana, synthetic marijuana, or cannabis substitutes, or related products.

(3) Geographic Scope:

This local law shall apply to any parcel of land, and/or business whether wholly within, partially within, is adjacent to, or abutting the Incorporated Village of Floral Park.

(4) Term:

This moratorium shall remain in effect for a period of one (1) year from the date of its adoption by the Board of Trustees.