

**Town of Grand Island
Local Law Intro # 8 of 2017
Local Law # _ of 2018**

DRAFT

**A local law establishing a moratorium on approvals for Multiple Dwellings and
Major Subdivisions
for a period of 6 months**

Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

SECTION I. LEGISLATIVE FINDINGS.

The Town Board of the Town of Grand Island finds that the portion of the Town Code regulating multiple dwellings, may no longer reflect the state of development, growth in the community, and the affordable housing goals of the community. The Board believes the change in circumstances since the current code was adopted creates an immediate need to re-visit the regulation of multiple dwellings and major subdivisions across the Town, and the underlying master plan, which is being reviewed and updated, and related portions of the Town Code

SECTION II APPLICABILITY

1. For a period of six months from the effective date of this Local Law, no application for a multiple dwelling, as the same is defined in Section 407-10 of the Town of Grand Island Town Code, or any major subdivision as defined in Section 237-5 of the Town of Grand Island Town Code, shall be approved by any board with appropriate authority in the Town of Grand Island, including but not limited to the Town Board, Planning Board or Zoning Board of Appeals, nor shall any approval or permit be issued any official of the Town of Grand Island.
2. During the pendency of this proceeding, any party may submit an application for any approval, and the application, including any required referrals and public hearings, shall be processed in accordance with the Town Code unless the applicant agrees to delay such review during the pendency of this Moratorium, however no decision shall be rendered.
3. Nothing in this Local Law shall suspend 1) the right of any party who has obtained a building permit prior to the effective date of this Local Law from continuing with any construction allowable under said permit, or 2) the right of any party who has obtained all approvals except a building permit prior to the effective date of this Local Law from obtaining a building permit and commencing any construction allowable under said permit.

SECTION III APPEAL PROVISIONS

The Town Board shall have the power to vary or modify the application of any provision of this local law upon its determination, in its absolute legislative discretion, after public hearing or notice, that this local law would impose extraordinary hardship upon a landowner, and that a variance from this act will not adversely affect the health, safety and general welfare of the town. Any request for an exception or variance shall be filed with Town Clerk, and shall include a fee of one hundred dollars (\$100.00) for the processing of such application. All such applications shall be promptly referred to the Planning Board for a recommendation, and shall thereafter be remanded to the Town Board for a public hearing and final decision.

SECTION IV PENALTIES

Any person, firm, entity or corporation that shall violate the terms and provisions of this Local Law shall be subject to a penalty in the amount of one thousand dollars (\$1000.00) for each day such violation shall exist.

SECTION V VALIDITY

The invalidity of a word, section, clause, paragraph, sentence, or part of provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

SECTION VI EFFECTIVE DATE

This law shall take effect immediately, as provided by the law, upon filing with the Secretary of State and shall remain in force and effect for a period four months from its effective date.