STATE OF NEW YORK

5128--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 11, 2021

Introduced by M. of A. BENEDETTO, SAYEGH, WILLIAMS, CRUZ, COOK, HYNDMAN, JACKSON -- Multi-Sponsored by -- M. of A. DAVILA -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, the energy law and the administrative code of the city of New York, in relation to prohibiting wind turbines from being located within 1500 feet of certain structures or areas

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 168 of the public service law is amended by adding a new subdivision 2-a to read as follows:

2-a. The board shall not grant a certificate or amendment thereof for the construction or operation of a wind electric generation facility, either as proposed or as modified by the board if any wind turbines would be located, constructed, or operated within one thousand five hundred feet of a residential or commercial structure.

§ 2. Section 21-106 of the energy law is amended by adding a new subdivision 2-a to read as follows:

2-a. No owner or operator of an alternate energy production facility shall construct any wind turbines on or after the effective date of this subdivision if such wind turbines would be located, constructed, or operated within one thousand five hundred feet of a residential or commercial structure.

§ 3. Subchapter 7 of chapter 1 of title 27 of the administrative code of the city of New York is amended by adding a new article 23 to read as follows:

ARTICLE 23
WIND TURBINES

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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§ 27-521.17 Wind turbines. No wind turbines shall be located, constructed, or operated within one thousand five hundred feet of a residential area and/or a commercial shopping district.

§ 4. This act shall take effect immediately.