§ 350. Establishment and location of airport or landing field. 1. The local legislative body of a city, county, village or town, by resolution, may determine to establish, construct, equip, maintain and operate for such county, city, village or town an airport or landing field for the use of aeroplanes and other aircraft, and may direct an appropriate officer, board or body of such county, city, village or town to acquire or lease for such purpose real property within such county, city, village or town or within ten miles of the boundaries thereof, and if such real property is located in another state adjacent to such boundaries to purchase or lease the same; or may set apart and use for such purpose real property owned by the county, city, village or town which, in the judgment of such local legislative body is not needed for any other public use, whether originally acquired by condemnation or purchase, or if acquired by grant from the state, notwithstanding any limitation of its use in the act or deed making such grant; but no such airport or landing field shall be established, constructed, equipped or maintained by a town board of a town, except in the manner provided in article fourteen of the town law. The site for such airport or landing field must be approved by the local legislative body seeking to construct or establish the facility. When the airport or landing field is to be located in whole or in part outside the boundaries of the municipality seeking to establish or construct the facility, the approval of the local legislative body of the city, town or village within which the facility will be located shall be obtained. This article shall not apply to a county wholly within a city.

2. The exercise of the powers conferred upon the board of trustees of a village by this section in relation to expenditures to be made during a fiscal year for which taxes therefor are to be levied shall be subject to a referendum and a resolution adopted by such board in the exercise of such powers shall not take effect until thirty days after its adoption; nor until approved by the affimative vote of a majority of the qualified electors of such village voting on a proposition for its approval, if within thirty days after its adoption, there shall be filed with the village clerk, a petition signed and acknowledged by electors of the village qualified to vote upon a proposition to raise and expend money, in number equal at least to thirty per centum of the total number

of the votes cast for mayor of the village at the last annual election or special election of the village at which a mayor was elected, but which shall not be less than fifty, protesting against such resolution and requesting that it be submitted to the electors of the village for their approval or disapproval. The form and contents of such petition and the procedure thereon and thereunder shall be in conformity with and governed by the provisions of article nine of the village law.