

WITHDRAWN AS OF 1/24/2011

Intro. Res. No. 1950-2010

Laid on Table 9/16/2010

Introduced by Presiding Officer, on request of the County Executive and Legislator Cilmi

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A LOCAL LAW STRENGTHENING THE SOCIAL
HOST LAW TO DETER THE CONSUMPTION OF ALCOHOL BY
MINORS WITHIN THE SUFFOLK COUNTY PARK SYSTEM**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on September 16, 2010, a proposed Local Law entitled "**A LOCAL LAW STRENGTHENING THE SOCIAL HOST LAW TO DETER THE CONSUMPTION OF ALCOHOL BY MINORS WITHIN THE SUFFOLK COUNTY PARK SYSTEM**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW STRENGTHENING THE SOCIAL HOST LAW
TO DETER THE CONSUMPTION OF ALCOHOL BY MINORS
WITHIN THE SUFFOLK COUNTY PARK SYSTEM**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE
COUNTY OF SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County's Social Host To Deter The Consumption Of Alcohol By Minors (Laws of Suffolk County, Chapter 214) applies to residences only.

This Legislature further finds that illegal underage alcohol consumption takes place at County campsites, particularly in those cases where a campsite is reserved by young adults over the age of 21 years, and such young adult is accompanied by others under the age of 21 years.

This Legislature further finds that no alcoholic beverages are permitted in County campgrounds, so this type of underage drinking is especially insidious as it erodes the quality of life at County campgrounds.

Therefore the purpose of this law is to strengthen the County's social host law to deter illegal alcohol consumption at County campgrounds.

Section 2. Amendment.

Section 214-14 of the Laws of Suffolk County is hereby amended as follows:

Chapter 214, Alcoholic Beverages
Article III, Social Hosts

§ 214-14. Allowing consumption of alcohol by minors at private residences prohibited; exceptions.

A.) It shall be unlawful for any person over the age of 18 who (i) owns, rents, or otherwise controls a private residence, or (ii) reserves, uses, occupies or otherwise controls a camp-site within the Suffolk County Parks system to knowingly allow the consumption of alcohol or alcoholic beverages by any minor on such premises or to fail to take reasonable corrective action upon learning of the consumption of alcohol or alcoholic beverages by any minor on such premises. Reasonable corrective action shall include, but not be limited to:

- (1) Making a prompt demand that such minor either forfeit and refrain from further consumption of the alcoholic beverages or depart from the premises; and
- (2) If such minor does not comply with such request, promptly reporting such underage consumption of alcohol either to the local law enforcement agency or to any other person having a greater degree of authority over the conduct of such minor.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: