

**RESOLUTION NO. 1121 -2010, ADOPTING LOCAL LAW  
NO. 2 -2011, A LOCAL LAW TO STRENGTHEN THE SOCIAL  
HOST LAW IN SUFFOLK COUNTY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on October 12, 2010, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN THE SOCIAL HOST LAW IN SUFFOLK COUNTY**"; now, therefore be it

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

**LOCAL LAW NO. 2 -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO STRENGTHEN THE SOCIAL HOST LAW IN  
SUFFOLK COUNTY**

**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 underage drinking continues to be a problem in Suffolk County and throughout the nation.

This Legislature also finds and determines that Local Law No. 35-2007, codified in Chapter 214 of the SUFFOLK COUNTY CODE, makes it illegal for adults to knowingly allow minors to consume alcohol at their homes.

This Legislature finds that, despite the enactment of Local Law No. 35-2007, some parents in Suffolk County continue to allow their teenage children and friends to consume alcohol in their homes.

This Legislature determines that the penalties for violating this law should be increased to emphasize the serious nature of the crime and deter parents and other adults from engaging in this dangerous behavior.

Therefore, the purpose of this law is to amend Chapter 214 of the SUFFOLK COUNTY CODE to enhance the penalties against adults who knowingly allow minors to consume alcohol in private residences in Suffolk County.

**Section 2. Amendments.**

Chapter 214 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 214. ALCOHOLIC BEVERAGES**

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**Article III, Social Hosts.**

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**§214-15. Penalties for Offenses.**

A violation of §214-14 of this article shall be punished as follows:

A. First offense: Any person who violates §214-14 of this article shall be guilty of a violation punishable by a fine not to exceed [~~\$250~~] five hundred dollars (\$500.00), where such violation constitutes the person's first offense.

B. Second and subsequent offenses: Any person who violates §214-14 of this article shall be guilty of an unclassified misdemeanor [violation] punishable by a fine [of not less than \$250 nor more than \$500 where such violation constitutes the person's second offense] not to exceed one thousand dollars (\$1,000.00), a term of imprisonment not to exceed one year, or both.

[C. Third and subsequent offenses: Any person who violates §214-14 of this article shall be guilty of an unclassified misdemeanor punishable by a fine not to exceed \$1,000, a term of imprisonment not to exceed one year, or both.]

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**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.

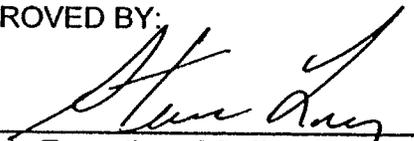
**Section 6. Effective Date.**

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

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: December 7, 2010

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date: JAN 07 2011

After a public hearing duly held on December 20, 2010  
Filed with the Secretary of State on January 20, 2011

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on December 7, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

*Tim Laube*

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Clerk of the Legislature

Intro. Res. 2010

Res. No. 1121

December 7, 2010

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON			/		
9	Ricardo MONTANO			/		
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.			/		
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
Totals		15	-	2	7	-

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsider _____
Waive Rule _____
Override Veto _____
Close _____
Recess _____
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote