

**RESOLUTION NO. 1129 -2010, ADOPTING LOCAL LAW
NO. 4 -2011, A LOCAL LAW TO EXPAND THE SCOPE OF THE
COUNTY'S SOCIAL HOST LAW**

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 EXPAND THE SCOPE OF THE COUNTY'S SOCIAL HOST LAW**;" now, therefore be it

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

LOCAL LAW NO. 4 -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO EXPAND THE SCOPE OF THE COUNTY'S
SOCIAL HOST LAW**

**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 Suffolk County Law makes it a crime for adults to provide alcohol to minors in their own homes.

This Legislature also finds and determines that some adults also provide alcohol to minors in other places where the adult has control of the space temporarily.

This Legislature further finds and determines that these temporary locations include short term rental properties, campsites, and hotel or motel rooms.

This Legislature finds that the County's Social Host Law should be expanded to include these types of accommodations.

Therefore, the purpose of this law is to expand the definition of residence in the County's Social Host Law.

Section 2. Amendments.

Section 214-13 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 214. ALCOHOLIC BEVERAGES

ARTICLE III. Social Hosts

§ 214-13. Definitions

As used in this article, the following terms shall have the meanings indicated:

ALCOHOL -- Ethyl alcohol, hydrated oxide of ethyl or spirits of wine, from whatever source or by whatever means produced.

ALCOHOLIC BEVERAGE -- Any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person, except that confectionary containing alcohol as provided by Subdivision 12 of § 200 of the New York State Agriculture and Markets Law shall not be regarded as an alcoholic beverage within the meaning of this section.

KNOWINGLY -- Aware of the consumption of alcohol by a minor.

MINOR -- Any person under the age of 21.

RESIDENCE -- Any permanent or temporary domicile, including a home, apartment, condominium, cooperative unit, trailer home, recreational vehicle, mobile home, overnight accommodation at a hotel, motel, campsite, or short term rental property, or other dwelling unit of any kind, including yards and open areas adjacent thereto.

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.

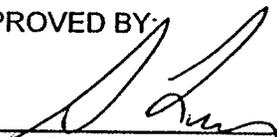
Section 6. Effective Date.

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

Clerk of the Legislature

Intro. Res. 2037

Res. No 1129

December 7, 2010

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

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

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-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	18				

MOTION

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 FAILED _____
 No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED
 NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote