

Intro. Res. No.1105-2011
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/1/2011

**RESOLUTION NO. 217 -2011, ADOPTING LOCAL LAW
NO. 21 -2011, A LOCAL LAW TO AMEND THE RULES AND
REGULATIONS FOR THE USE OF SUFFOLK COUNTY PARKS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on February 1, 2011, a proposed local law entitled, **“A LOCAL LAW TO AMEND THE RULES AND USE OF SUFFOLK COUNTY PARKS;”** now, therefore be it

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

LOCAL LAW NO. 21 -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO AMEND THE RULES AND REGULATIONS FOR
THE USE OF SUFFOLK COUNTY PARKS**

**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 this Legislature, within Suffolk County Local Law No. 9-1980 which allowed Suffolk County residents to remove wood from Parks that had either fallen down or was cut down by authorized agents of the Department of Parks, Recreation and Conservation, recognized that due to the increased cost of home heating fuel, more and more Suffolk County residents have turned to heating their homes by burning wood.

This Legislature finds that this statement is even truer today, given the prolonged national recession, high unemployment, and the continual rising cost of home heating fuel.

This Legislature also finds and determines that in some instances, due in part to the increase of weather-related events which have caused a high number of downed trees and tree limbs within Suffolk County Parks, the Department of Parks, Recreation and Conservation has had to utilize staff and other resources to remove such wood and debris at the expense of Suffolk County taxpayers.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CODE to eliminate the permit fee for the removal of firewood from Suffolk County Parks in order to incentivize Suffolk County residents to make such requests, which will have the dual benefit of helping to relieve the financial burden on Suffolk residents in heating their homes and assisting the Department of Parks, Recreation and Conservation in decreasing its costs for the removal of downed trees from Suffolk County Parks.

Section 2. Amendment.

Section 378-7(D) of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

CHAPTER 378, PARKS AND PARKS FACILITIES
Article I
Rules and Regulations

Section 378-7. Operating Policies.

D. Firewood.

(1) Notwithstanding the prohibition set forth in § 378-4A(16) and (18) herein, the Commissioner may establish rules and regulations to allow [citizens of] Suffolk County [parks] residents to obtain wood which has either fallen down or has been cut down by authorized agents. [In adopting such rules and regulations, the Commissioner may establish a fee of no more than \$15. Further, s] Such rules and regulations shall establish a system, whether by lot or otherwise, to ensure that all interested residents of Suffolk County will have an equal opportunity to obtain wood.

Section 3. Applicability.

This law shall apply to all requests for a permit to remove firewood from Suffolk County Parks 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) 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.

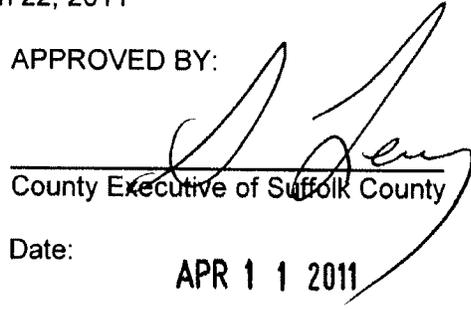
This law shall take effect immediately upon filing with the Secretary of State.

[] Brackets denote deletions.

___ Underlining denotes additions.

DATED: March 22, 2011

APPROVED BY:



County Executive of Suffolk County

Date:

APR 1 1 2011

After a public hearing duly held on April 5, 2011
Filed with the Secretary of State on April 28, 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 March 22, 2011 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.

1105

Res. No.

217

March 22, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore,
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						
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	17				

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsiderer _____
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