

**RESOLUTION NO. 772 -2011, ADOPTING LOCAL LAW  
NO. 48 -2011, A LOCAL LAW AMENDING THE  
ADMINISTRATIVE CODE OF SUFFOLK COUNTY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on August 2, 2011, a proposed local law entitled, "**A LOCAL LAW AMENDING THE ADMINISTRATIVE CODE OF SUFFOLK COUNTY**;" now, therefore be it

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

**LOCAL LAW NO. 48 -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW AMENDING THE ADMINISTRATIVE CODE OF  
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 in 2008 the County Legislature authorized General Code Publishers to perform a complete analysis of the Laws of Suffolk County and to recommend necessary changes to the Laws.

This Legislature also finds that General Code Publishers has completed its review and recommended several technical changes to the Suffolk County Administrative Code.

Therefore, the purpose of this law is to amend the Suffolk County Administrative Code to incorporate the changes recommended by General Code Publishers.

**Section 2. Amendments.**

The SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

- A. Section A3-4(B)(1)(aa) is amended to change "Director of Community Mental Health Services" to "Director of Community Mental Hygiene Services."
- B. Sections A3-4(B)(1)(bb) and A3-5(E)(1)(q), regarding the Department of Alcohol and Drug Abuse Services, are deleted.
- C. Section A3-7, Administration of the Suffolk County Farm at Yaphank, is deleted.
- D. Section A3-9, Transferral of certain properties to Suffolk Community Development Corporation, is deleted.
- E. Section A4-2 is amended to delete former Subsection (B), which duplicates the text included in Subsection (A).

- F. Sections A4-2(A)(2) and A4-3(E) are amended to change “Legislature’s Budget Review Office” to “Legislative Budget Review Office.”
- G. Former § A4-3(F), which duplicated text currently found in Subsection D, is deleted.
- H. Section A4-3(F)(7) is amended to change “Legislature’s Office of Budget Review” to “Legislative Budget Review Office.”
- I. Section A4-5(H)(2) is amended to change “Legislative Office of Budget Review” to “Legislative Budget Review Office.”
- J. Article VI is amended to change references to the Civil Service Department or the Department of Human Resources and Civil Service to the Department of Human Resources, Personnel and Civil Service.
- K. Section A9-2(D)(3)(g) is amended to change “county jail” to “Suffolk County Correctional Facility.”
- L. Sections A9-4(B)(2), (G)(1) and A9-5 are amended to change “Commissioner of Health” to “Commissioner of Health Services.”
- M. Section A9-6(H) is amended to change “Legislative Office of Budget Review” to “Legislative Budget Review Office.”
- N. Section A11-1 is amended to read as follows: “The Department of Fire, Rescue and Emergency Services, through the individual or individuals so designated to perform such functions, duties and responsibilities, shall have the powers and duties established by Article XI of the Charter.”
- O. Section A13-11(C)(2)(b) is amended to change “narcotics” to “controlled substances.”
- P. Section A13-11(C)(2)(d) is amended to change the statutory reference to Tax Law § 1847.
- Q. Sections A14-21(A) and A14-22(B) and (D) are amended to change “zoning ordinance” to “zoning ordinance or local law.”
- R. Section A15-5, Deductions authorized for Long Island Fund, is deleted.
- S. Section A15-6 is amended to update the statutory citation to Insurance Law § 331.
- T. Section A15-9(A) is amended to read as follows: “Any bank account opened by any department, agency or entity of the County of Suffolk shall be opened in a depository designated by the County Legislature under § 212 of the New York County Law.”
- U. Section A15-9(C) is amended to read as follows: “All moneys received by the County of Suffolk shall be deposited in a bank or depository designated by the County of Suffolk under § 212 of the New York County Law.”

- V. Section A15-9(D) is amended to read as follows: "Any departmental account shall be opened only with the written consent of the County Department of Finance and Taxation, or any successor department thereto, and only in a bank or depository designated by the County of Suffolk pursuant to § 212 of the New York County Law."
- W. Section A22-1(A)(4) is amended to change "Legislative Office of Budget Review" to "Legislative Budget Review Office." Subsection E is amended to change "Legislature's Budget Review Office" to "Legislative Budget Review Office."
- X. Section A22-2(A)(3) is amended to change "Legislative Office of Budget Review" to "Legislative Budget Review Office."
- Y. Sections A28-1, Exemption to senior citizens from certain departmental fees, A28-2, Reduction to handicapped persons of certain departmental fees, and A28-3, Senior citizens to be exempt from charge for Smith Point Bridge; record of use of bridge, are deleted.
- Z. Section A28-8(A) is amended to change "Parks Committee" to "Parks and Recreation Committee or any successor committee." Subsection (B)(2) is amended to change "Parks and Public Works Committee" to "Parks and Recreation Committee or any successor committee."
- AA. Section A30-1(C)(10) is amended to update the statutory citation to Mental Hygiene Law Article 41.
- BB. Section A30-11(A)(2) is amended to change the reference from § C41-1 of the County Charter to § 14-100 of the New York State Election Law.
- CC. Section A36-3(B)(4)(e) is amended to read as follows: "All walls adjacent to the toilet shall have horizontal backing reinforcements, each at least 33 inches, but not more than 36 inches, above the floor, and sufficient to allow for a twenty-four-inch grab bar on the wall behind the toilet and another forty-two-inch grab bar on one of the other walls adjacent to the toilet."
- DD. Section A42-4(G)(2) is amended to change "Parks and Cultural Affairs Committee" to "Parks and Recreation Committee."

**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.**

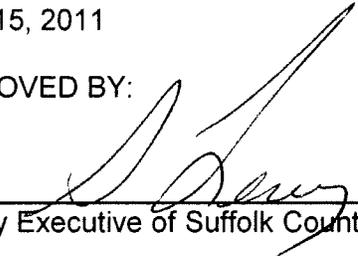
This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning 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: September 15, 2011

APPROVED BY:

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

Date:

**OCT 12 2011**

After a public hearing duly held on October 4, 2011  
Filed with the Secretary of State on October 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 September 15, 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*

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Clerk of the Legislature

Intro. Res.

1687

Res. No.

772

September 15, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
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	Sarah S. ANKER					
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
<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