

RESOLUTION NO. 773 -2011, ADOPTING LOCAL LAW NO. 49 -2011, A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS AND CERTAIN RESOLUTIONS OF THE COUNTY OF SUFFOLK INTO A MUNICIPAL CODE TO BE DESIGNATED THE "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 TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS AND CERTAIN RESOLUTIONS OF THE COUNTY OF SUFFOLK INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF SUFFOLK COUNTY;"** now, therefore be it

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

LOCAL LAW NO. 49 -2011, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS AND CERTAIN RESOLUTIONS OF THE COUNTY OF SUFFOLK INTO A MUNICIPAL CODE TO BE DESIGNATED THE "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 General Code Publishers codifies and maintains the governing laws of Suffolk County in a publication, "The Laws of Suffolk County".

This Legislature further finds that the Laws of Suffolk County is made up of four distinct components: the Suffolk County Charter; the Suffolk County Administrative Code; New York State statutes that are specifically applicable to Suffolk County; and local laws and resolutions that are of a general and permanent nature. This last component is generally known as the Suffolk County Code.

This Legislature also determines that the Laws of Suffolk County were last updated and reorganized in 1985.

This Legislature authorized General Code Publishers in 2008 to perform a complete analysis of the Laws of Suffolk County to prepare for a comprehensive update and republication of the Laws. It was anticipated at that time that many chapters of the County Code would be reorganized and consolidated, outdated resolutions and laws would be removed and an index would be added.

This Legislature further finds that General Code Publishers has completed its editorial analysis and recommended necessary revisions to the Laws of Suffolk County.

This Legislature determines that separate local laws have been introduced to effect necessary changes to the Suffolk County Charter and the Suffolk County Administrative Code.

Therefore, the purpose of this local law is to adopt an updated and revised codification of local laws and resolutions that have a permanent and general effect, to be known as the Code of Suffolk County.

Section 2. Adoption of Revised Code.

A new Article I of Chapter 1 of the Code of Suffolk County, is hereby enacted as follows:

**Chapter 1 - General Provisions
Article I, Adoption of Code**

§ 1-1. Adoption of Code.

A. In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws and certain resolutions of Suffolk County, as codified by General Code, and consisting of Chapters 1 through 1200, is hereby adopted and shall be known collectively as the "Code of Suffolk County," hereafter termed the "Code." Wherever reference is made in any of the local laws and resolutions contained in the Code of Suffolk County to any other local law or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing in the Code as if such local law, ordinance or resolution had been formally amended to so read.

B. Copy of Code on File.

A copy of the Code, in loose-leaf form, has been filed in the office of the Clerk of the Legislature of Suffolk County and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Clerk of the Legislature of Suffolk County by impressing thereon the Seal of the County, and such certified copy shall remain on file in the office of said Clerk of the Legislature to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of the 1985 County Code and local laws and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the County Legislature of Suffolk County, and it is the intention of said Legislature that each such provision contained within the

Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

§ 1-3. Distribution and repeal of prior laws.

The chapters of the 1985 code in force immediately prior to the enactment of the Code by this local law shall be removed, repealed or distributed in the Code as indicated and set forth in the Derivation Table which is attached hereto as Exhibit "A" and made a part of this local law.

§ 1-4. Changes in previously adopted legislation; new provisions.

- A. In compiling and preparing the local laws and resolutions for publication as the Code of Suffolk County, no changes in the meaning or intent of such local laws and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the County Legislature that all such changes be adopted as part of the Code as if the local laws and resolutions had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Exhibit "B" attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws and resolutions as they have been renumbered and appear in the Code.)

§ 1-5. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws and resolutions known collectively as the "Code of Suffolk County" or any new local laws and resolutions, when enacted or adopted in such form as to indicate the intention of the County Legislature to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be published as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained herein, and such local laws or resolutions may be amended, deleted or changed from time to time as the County Legislature deems desirable.

§ 1-6. Code to be kept up-to-date.

It shall be the duty of the Clerk of the Legislature to keep up-to-date the Code of Suffolk County required to be filed in the office of the Clerk of the Legislature for use by the public. All changes in said Code and all local laws and resolutions adopted by the County Legislature subsequent to the enactment of this local law in such form as to indicate the intention of said County Legislature to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws or resolutions until such changes, local laws or resolutions are published as supplements to said Code, at which time such supplements shall be inserted therein.

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.

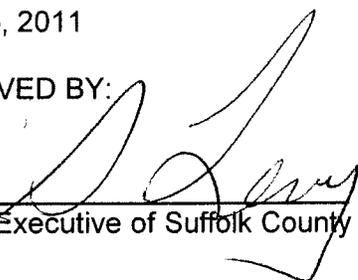
This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning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

DERIVATION TABLE

In order to assist Code users in the transition to the new Code's organization, the Derivation Table indicates where articles and articles of the 1985 Code have been included in the 2011 Code, or the reason for exclusion.

§ DT-1. Derivation Table of 1985 Code to 2011 Code

NCM = Not Code material (legislation is not general or permanent in nature).

REP = Repealed effective with adoption of Code; see Ch. 1, Art. I.

NI = Not included in Code but saved from repeal.

Chapter/Title From 1985 Code

Location in 2011 Code

PART I — ADMINISTRATIVE LOCAL LAWS

Ch. 1, General Provisions	
Art. I, Adoption of Code	See Ch. 1, Art. I
Art. II, Adoption of Charter	See Ch. 1, Art. II
Ch. 8, Agricultural Lands, Developments Rights to	Ch. 8
Ch. 10, Air Conditioning Systems	Ch. 12
Ch. 25, Conservation Easements	Ch. 25
Ch. 27, Conveyance of Real Property	Ch. 29, Art. I
Ch. 30, Correctional Facility	Ch. 33
Ch. 32, County Property Sales	
Art. I, Surcharge for County Property Sold at Public Auction	Ch. 29, Art. II
Art. II, Privatization of County-Owned Marinas	Ch. 29, Art. III
Ch. 33, Day-Care Facilities for County Employees	Ch. 38
Ch. 35, Defense and Indemnification	Ch. 42
Ch. 39, Detention Services, Division of	Ch. 46
Ch. 40, Disability Truth-in-Hiring Policy	Ch. 53
Ch. 42, Electrical Agency	Ch. 59
Ch. 43, Empire Zone	Ch. 64
Ch. 44, Employee Relations	Ch. 68
Ch. 49, Employees Making Allegations of Misconduct, Protection of	Ch. 71
Ch. 54, Ethics	
Art. I, Honesty in Government Payrolls	Ch. 77, Art. II
Ch. 58, Film Commission	Ch. 82
Ch. 60, Finances	

Chapter/Title From 1985 Code	Location in 2011 Code
Art. I, Distribution of Mortgage Tax Revenues	Ch. 86, Art. I
Ch. 61, Financial Disclosure	Ch. 77, Art. I
Ch. 65, Fire Code Violations	Ch. 94
Ch. 66, Flags	Ch. 98
Ch. 68, Forum for the Arts	Ch. 103
Ch. 78, Disabilities Advisory Board	Ch. 50
Ch. 82, Health and Safety of Employees	Ch. 110
§ 82-24, Progressive discipline procedures	Ch. 963, Art. I
Ch. 89, Human Rights Commission	
Art. I, Creation and Organization	Ch. 119
Art. II, Members	NI
Art. III, Bias Acts	Ch. 528, Art. I
Art. IV, Discriminatory Acts	Ch. 528, Art. II
Ch. 91, Industrial and Commercial Incentive Board	NCM
Ch. 93, Industrial Development Agency	Ch. 125
Ch. 101, Labor, Department of	Ch. 136
Ch. 102, Land Exchanges	Ch. 141
Ch. 105, Liability	Ch. 145
Ch. 108, Light Pollution	Ch. 149
Ch. 109, Liquefied Natural Gas	Ch. 567
Ch. 110, Local Development Corporations	Ch. 155
Ch. 112, Mass Transportation	Ch. 160
Ch. 123, Off-Track Betting	Ch. 168
Ch. 127, Open Meetings	Ch. 172
Ch. 133, Preschool Handicapped Transportation	Ch. 178
Ch. 140, Public Hearings, Notice of	REP
Ch. 141, Public Notification Policy	Ch. 183
Ch. 143, Purchasing and Contracts	Ch. 189
Ch. 146, Real Property, Lease of	Ch. 194
Ch. 149, Response and Truth in Government Policy	Ch. 199
Ch. 150, Retirement Incentive	NCM
Ch. 152, Salaries and Compensation	
Art. I, Equitable Compensation of Certain Elected Officers	Ch. 205, Art. I
Art. II, Salary Reduction	NCM
Art. III, Salary Freeze for 1992	NCM

Chapter/Title From 1985 Code	Location in 2011 Code
Art. IV, Salary Freeze for 1993	NCM
Art. V, Salary Cap	Ch. 205, Art. II
Ch. 158, Senior Citizens' Advisory Board	Ch. 210
Ch. 160, Sewer Districts	Ch. 215
Ch. 162, Sewer System Refunds	NI
Ch. 166, Social Services Department	Ch. 221
Ch. 169, Special Traffic Options Program for Driving While Intoxicated	Ch. 226
Ch. 172, Energy Advisory Committee	NI
Ch. 176, Tax Notices and Billing	Ch. 232
Ch. 180, Utility Easements	Ch. 245
Ch. 184, Vanderbilt Museum, Suffolk County	Ch. 250
Ch. 186, Vehicles, County-Owned	Ch. 255
Ch. 188, Voter Registration	REP
PART II — REGULATORY LOCAL LAWS	
Ch. 204, Advertising Materials	Ch. 270
Ch. 206, Agricultural Operations	Ch. 274
Ch. 207, Animals	Ch. 299
Ch. 210, AIDS Testing	Ch. 278
Ch. 211, Aid to Families with Dependent Child and Home Relief	Ch. 281
Ch. 212, Aircraft	Ch. 285
Ch. 213, Alarms	Ch. 290
Ch. 214, Alcoholic Beverages	
Art. I, Public Notice for Pregnant Women	Ch. 294, Art. I
Art. II, AWOL Machines and Alcohol Vapor Devices	REP
Art. III, Social Hosts	Ch. 294, Art. II
Art. IV, Sale of Drinking Games to Minors	Ch. 294, Art. III
Ch. 216, Animal Shelters and Kennels	Ch. 302
Ch. 217, Automated Teller Machines	REP
Ch. 218, Auxiliary Police	Ch. 17
Ch. 219, Balloons, Helium	Ch. 310
Ch. 220, Banking Practices	Ch. 314
Ch. 221, Bicycles, Skates, Skateboards and Scooters	Ch. 319
Ch. 222, Boats and Motors	Ch. 325
Ch. 225, Body Piercing	Ch. 330

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 227, Books and Magazines	Ch. 334
Ch. 228, Booting of Vehicles	Ch. 818, Art. I
Ch. 230, Building Construction	Ch. 344
Ch. 233, Bullets, Armor-Piercing	Ch. 349
Ch. 234, Business Practices	
Art. I, Lawful Hiring of Employees	Ch. 353, Art. II
Art. II, Registration of Nonprofit Veterans Organizations	Ch. 353, Art. III
Ch. 235, Carbon Dioxide Emissions	Ch. 357
Ch. 236, Carbon Monoxide Detectors	Ch. 360
Ch. 237, Caterers	Ch. 365
Ch. 239, Cemeteries	Ch. 370
Ch. 241, Cesspool and Sewer Additives	Ch. 374
Ch. 242, Community College Facilities	Ch. 383
Ch. 249, Consumer Protection	Ch. 387
Ch. 252, Cooperative Housing	Ch. 391
Ch. 256, Day-Care Facilities and Home Care Services	Ch. 396
Ch. 260, Defibrillators	Ch. 400
Ch. 260A, Demonstrations	Ch. 404
Ch. 261, Dextromethorphan Products	Ch. 423, Art. II
Ch. 265, Domestic Partnerships	Ch. 410
Ch. 266, Donation Bins	Ch. 415
Ch. 269, Drugs and Drug Products	
Art. I, Salvia Divinorum	Ch. 423, Art. III
Art. II, Screening Tests	Ch. 423, Art. IV
Art. III, Sale of Synthetic Cannabinoids to Minors	Ch. 423, Art. V
Ch. 270, Drug Paraphernalia and Premises	
Art. I, Drug Paraphernalia	Repealed by L.L. No. 16-1993
Art. II, Crack Houses	Ch. 623
Art. III, Loitering in Connection with Drug Use	Ch. 420, Art. I
Art. IV, Forfeiture of Property Used in or Obtained Through Crime	Ch. 420, Art. II
Art. V, Use of Vehicles for Sale, Purchase, Use or Transport of Controlled Substances	Ch. 420, Art. III
Ch. 271, Drug-Free School Zones	Ch. 713, Arts. I and II
Ch. 272, Speeding in Safe School Zones	Ch. 713, Art. III

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 273, Dry-Cleaning Establishments	Ch. 427
Ch. 277, Emergency Shelters	Ch. 438
Ch. 278, Emergency Telephone System	Ch. 441
Ch. 278A, Environmental Protection	Ch. 446
Ch. 279, Environmental Quality Review	Ch. 450
Ch. 281, Ephedra Products	NI
Ch. 287, Ferry Service	Ch. 455
Ch. 289, Fertilizer	Ch. 459
Ch. 291, Filming	Ch. 463
Ch. 293, Firearms and Weapons	Ch. 467
Ch. 294, Fire Prevention	Ch. 471
Ch. 298, Fishing and Shellfishing	Ch. 475
Ch. 301, Food Labeling and Packaging	REP
Ch. 304, Foster Care and Adoptive Homes	Ch. 480
Ch. 306, Fuel-Delivery Vehicles	Ch. 485
Ch. 308, Furnaces, Outdoor	Ch. 490
Ch. 313, Gasoline Sales	Ch. 494
Ch. 315, Gasoline and Fuel Rating	Ch. 494, Art. IV
Ch. 316, Gasoline Stations	Ch. 497
Ch. 317, Gift Certificates	REP
Ch. 319, Group Homes for Former Mental Patients	REP
Ch. 323, Hazardous Substances	Ch. 704, Art. II
Ch. 324, Hazardous Waste	Ch. 512
Ch. 325, Health-Care Benefits	
Art. I, Expenditures by Retail Employers	REP
Ch. 326, Homemaking Services	Ch. 519
Ch. 327, Hotels and Motels	Ch. 523
Ch. 327A, Incarceration Costs	Ch. 33, Art. III
Ch. 327B, Internet Crimes	Ch. 538
Ch. 328, Item Pricing	Ch. 542, Art. I
Ch. 329, Item Pricing Display, Retail	Ch. 542, Art. II
Ch. 342, Land Acquisition Disclosure	Ch. 551
Ch. 343, Laser Pointers	Ch. 555
Ch. 345, Licensed Occupations	Ch. 563
Ch. 346, Licensed Home Improvement Contract Restitution Fund	Ch. 517, Art. I

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 346A, Livery Businesses	Ch. 571
Ch. 347, Living Wage	Ch. 575
Ch. 348, Lobbyists	Ch. 580
Ch. 349, Mammography	Ch. 586
Ch. 349A, Marijuana	Ch. 423, Art. I
Ch. 350, Medical Specimens	Ch. 590
Ch. 351, Mercury Fever Thermometers	REP
Ch. 356, Mobile Home Sales	REP
Ch. 359, Mortgages, Purchase of	Ch. 595
Ch. 361, Motor Fuel Facilities	Ch. 599
Ch. 363, Motor Vehicle Use Fee	Ch. 603
Ch. 364, Moving Companies	Ch. 607
Ch. 365, Music Concerts	Ch. 612
Ch. 366, Noise	Ch. 618
Ch. 366A, Nursing Homes	Ch. 627
Ch. 367, Obscene Materials	Ch. 672, Art. I
Ch. 370, Open Space Preservation	Ch. 633
Ch. 372, Parking, Off-Street	Ch. 639
Ch. 378, Parks and Park Facilities	Ch. 643
Ch. 380, Pest Control	Ch. 647
Ch. 382, Pipe Bomb Materials	Ch. 651
Ch. 383, Planned Retirement Communities	Ch. 656
Ch. 384, Police, Solicitation by	Ch. 353, Art. I
Ch. 386, Political Parties, Gifts to Officials of	Ch. 664
Ch. 387, Polygraph Examinations	
Art. I, Regulation and Control	REP
Art. II, Examination of Minors	Ch. 668, Art. I
Ch. 388, Pornography	Ch. 672, Art. II
Ch. 390, Probation Department Fees	Ch. 677
Ch. 392, Property, Defacement of	Ch. 502
Ch. 393, Proprietary Ambulance Companies, Abuses of	Ch. 681
Ch. 395, Pyramid Distribution Organizations	NI
Ch. 397, Records	Ch. 688
Ch. 399, Recycling	
Art. I, Automotive Batteries	REP

Chapter/Title From 1985 Code	Location in 2011 Code
Art. II, Newsprint	NI
Art. III, Yellow-Colored Legal Pads	NI
Art. IV, At-Store Recycling Program for Plastic Bags	Ch. 692, Art. I
Ch. 400, Waste Tire Recycling	REP
Ch. 406, Rental Property	Ch. 696
Ch. 407, Restaurants	Ch. 700
Ch. 407A, Retail Sales	
Art. I, Swimming Pools	Ch. 704, Art. III
Art. II, Drop-Side Cribs	Ch. 704, Art. IV
Art. III, Aerosol Dusting Products	Ch. 704, Art. V
Ch. 408, Rooming Houses	NI
Ch. 410, Scaffolds	Ch. 717
Ch. 411, School Bus Safety Restraints	NI
Ch. 413, Scrap Metal Processors, Vehicle Dismantlers and Junk Dealers	Ch. 721
Ch. 417, Seal, County	Ch. 726
Ch. 419, Security, Protection and Safety	Ch. 730
Ch. 421, Senior Citizens' Bill of Rights	Ch. 735
Ch. 424, Sewers	Ch. 740
Ch. 428, Sex Offenders	Ch. 745
Ch. 435, Smoke Bombs	Ch. 751
Ch. 437, Smoking	Ch. 754
Ch. 445, Storm Sewers	Ch. 759
Ch. 446, Stormwater Management	
Art. I, Protection of Recharge Basins	Ch. 763, Art. I
Art. II, Rain-Sensing Devices	Ch. 36, Art. I
Ch. 448, Subscription Service Fees	
Art. I, Access to Real Estate Information System Via Internet	Ch. 767, Art. I
Art. II, On-Line Records of County Clerk	REP
Art. III, Fees for On-Line Records System	Ch. 767, Art. II
Ch. 450, Substance Abuse Houses	REP
Ch. 454, Tanning Facilities	Ch. 772
Ch. 458, Taxation	
Art. I, Exemption for Eligible Businesses	NI
Art. II, Partial Real Property Tax Exemption for Persons Over 65	Ch. 775, Art. I

Chapter/Title From 1985 Code	Location in 2011 Code
Art. III, Exemption for Improvements to Assist Physically Disabled Persons	Ch. 775, Art. II
Art. IV, Enforcement	Ch. 775, Art. III
Art. V, Real Property Tax Exemption for Central Islip Development Zone	NI
Art. VI, Improved Residential Buildings Exemption	Ch. 775, Art. IV
Art. VII, Waiver of Interest and Penalties for Late Payment	REP
Art. VIII, Exemption for Veterans, Spouses and Unremarried Surviving Spouses of Veterans, Gold Star Parents and Cold War Veterans	Ch. 775, Art. V
Art. IX, Cooperative Apartment Assessment for Exemptions	Ch. 775, Art. VI
Art. X, Exemption for Disabled Persons with Limited Incomes	Ch. 775, Art. VII
Art. XI, Targeted Business Investment Real Property Tax Exemption	Ch. 775, Art. VIII
Art. XII, Living Quarters Exemption	Ch. 775, Art. IX
Art. XIII, Exemption for First-Time Homeowners	Ch. 775, Art. X
Art. XIV, Exemption for Volunteer Fire Fighters and Ambulance Workers	Ch. 775, Art. XI
Art. XV, Historic Property Tax Exemption	Ch. 775, Art. XII
Ch. 460, Tax Grievance Consultants	Ch. 779
Ch. 461, Tax Refunds	Ch. 783
Ch. 461A, Tires, Sale of	Ch. 787
Ch. 462, Tobacco Products	Ch. 792
Ch. 463, Towing	Ch. 796
Ch. 465, Transit Stations	Ch. 238
Ch. 465A, Utilities	Ch. 808
Ch. 466, Union Organizing	Ch. 803
Ch. 466A, Vehicles Sales	
Art. I, Release of Vehicles to Licensed Operators	Ch. 814, Art. II
Ch. 467, Vehicles and Traffic	Ch. 818
Ch. 469, Vehicles, Off-Road	
Art. I, All-Terrain Vehicles	Ch. 715, Art. I
Art. II, Sale	Ch. 814, Art. I
Ch. 475, Vending and Peddling	Ch. 826
Ch. 481, Victims' Rights	Ch. 830
Ch. 483, Videocassette Recorders, Repair of	REP
Ch. 484, Video Display Terminals	REP

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 486, Video Voyeurism	Ch. 834
Ch. 489, Dumping and Littering	Ch. 433, Art. I
Ch. 490, Dumping in Pine Barrens	Ch. 433, Art. II
Ch. 491, Water	
Art. I, Bottled Water Labeling	Ch. 704, Art. I
Art. II, Drinking Water Distribution Systems	Ch. 840, Art. II
Ch. 492, Water Systems, Private	
Art. I, Well Water Testing	Ch. 840, Art. I
PART III — RESOLUTIONS	
Ch. 540, African-American Advisory Board	Ch. 860
Ch. 550, Animals	
Art. I, Anti-Rabies Vaccinations for Dogs	NI
Art. II, Responsible Dog Ownership Program; Animal Cruelty Prevention; Animal Bites Registry	Ch. 865, Art. I
Art. III, Safe Pets and Families Program	Ch. 865, Art. II
Art. IV, Campaign for Adoption of Pets from Town Shelters	NI
Art. V, Dog Runs	Ch. 865, Art. III
Ch. 552, Apprenticeship Training	Ch. 869
Ch. 553, Aquaculture Committee	NCM
Ch. 562, Brookhaven National Laboratory, Use of Facilities at	REP
Ch. 568, Cancer Resources Commission	NCM
Ch. 572, Capital Projects	Ch. 874
Ch. 577, Child Protection	
Art. I, Suffolk County Strike Force on Children	NI
Art. II, Examination of Abused Children	NI
Art. III, Child-Care Facilities	Ch. 880, Art. I
Art. IV, Child Sexual Abuse Reporting Policy	Ch. 880, Art. II
Art. V, Certification of Non-Sex-Offender Status for Workers at Youth Agencies	Ch. 880, Art. III
Art. VI, Mercury-Free Vaccines	Ch. 880, Art. IV
Art. VII, Timely Filing of Information in Cases of Parental Child Abduction	Ch. 880, Art. V
Ch. 578, Child Sex Abuse Hot-Line Service Agencies	Ch. 378
Ch. 579, Citizens Corps Council	Ch. 884
Ch. 580, Civil Service Rules	Ch. 1200
Ch. 585, Classification and Salary Plans, Administration of	Ch. 888

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 587, Collection of Fines	NCM
Ch. 590, Contracts	Ch. 893
Ch. 593, Curb-Cutting Permits	NCM
Ch. 596, Day-Care Centers, Payments to	Ch. 899
Ch. 609, Deposit of Funds	NCM
Ch. 614, Document Receipt Policy	Ch. 904
Ch. 615, Domestic Violence	Ch. 908
Ch. 617, Drug Enforcement	Ch. 913
Ch. 625, Elections	Ch. 920
Ch. 627, Electricians and Plumbers, Rules and Regulations for	Ch. 924
Ch. 628, Emergency Medical Services	Ch. 928
Ch. 629, Emergency Preparedness	Ch. 931
Ch. 631, Employee Benefits	Ch. 935
Ch. 632, Employee Recognition	REP
Ch. 633, Energy Efficiency	Ch. 939
Ch. 634, Environmentally Sensitive Land, Purchase of	NCM
Ch. 635, Environmental Protection	
Art. I, E-Waste Policy	Ch. 943, Art. II
Ch. 636, Fees and Charges	
Art. I, Overpayment of Fees	Ch. 948, Art. I
Art. II, Fee for Returned Checks	Ch. 948, Art. II
Art. III, Tax Sale Recoupment Charges	Ch. 948, Art. III
Art. IV, Civil Service Examination Fees	Ch. 948, Art. IV
Art. V, Legislative Tracking System Charges	REP
Art. VI, Notary Public Certificates	Ch. 948, Art. VI
Art. VII, Subdivision Map Filing Fees	Ch. 948, Art. VII
Art. VIII, Ferry Review Fee	Ch. 948, Art. VIII
Art. IX, Motor Fuel Fees	Ch. 948, Art. IX
Art. X, Airport Fees	Ch. 948, Art. XI
Art. XI, Civil Service Examination Application Fee Waiver	Ch. 948, Art. XII
Art. XII, Fee Waiver for Community Emergency Response Team Volunteers	Ch. 948, Art. XIII
Ch. 639, Finances	Ch. 952
Ch. 642, Golf Course Program	NCM
Ch. 644, Government Information Depositories	Ch. 959

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 645, Groundwater Protection Panel	REP
Ch. 651, Highway Work Fees	Ch. 948, Art. V
Ch. 652, Hispanic Advisory Board	Ch. 114
Ch. 653, Home Energy Assistance Program	Ch. 966
Ch. 654, Homeless Housing Commission	NCM
Ch. 656, Identity Protection	Ch. 971
Ch. 658, Investment Policy	Ch. 981
Ch. 660, Land Development	Ch. 1001
Ch. 661, Land Preservation	Ch. 1005
Ch. 664, Legislature Rules	NCM
Ch. 665, Long Island Economic Job Development Organization	REP
Ch. 672, Marinas	
Art. I, Facilities at County Marinas	Ch. 1012, Art. I
Art. II, Nuisances at Marinas	NI
Ch. 674, Memorials and Symbols, Siting of; Naming of County Facilities, Parks and Roads	Ch. 1016
Ch. 675, Motels Doing Business with Department of Social Services	Ch. 1021
Ch. 677, Native American Affairs Advisory Board	Ch. 1027
Ch. 678, Next Generation Citizens Advisory Board	Ch. 1032
Ch. 680, Office of HMO Services	
Art. I, Establishment	REP
Art. II, Reimbursement of EPIC Co-Payments	Ch. 977, Art. I
Ch. 685, Parking Facilities	
Art. I, Fees for Parking at Bay Shore Mini-Center	REP
Ch. 687, Park Police Patrol	Ch. 1038
Ch. 688, Parks and Recreation Fees	Ch. 948, Art. X
Ch. 692, Payroll and Personnel System	NCM
Ch. 697, Poet Laureate	Ch. 1043
Ch. 700, Police	
Art. I, Use of Seasonal Police Officers	Ch. 1047, Art. I
Art. II, Police Substations	Ch. 1047, Art. II
Art. III, Police Cadet Program	NI
Art. IV, Amber Alert Plan	Ch. 1047, Art. IV
Art. V, Firearms Qualification Training	Ch. 1047, Art. V
Ch. 704, Police Department Fees	REP

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 704A, Police Lineups	Ch. 1047, Art. III
Ch. 705, Preschool Program Absenteeism Notification	NI
Ch. 705A, Property Control Manager	Ch. 1056
Ch. 705B, Probation	Ch. 1052
Ch. 706, Property, Sale of	Ch. 1060
Ch. 707, Prostate Cancer	
Art. I, Public Information and Education Program	NCM
Ch. 707B, Public Safety Revenue-Sharing Funds	REP
Ch. 708, Purchasing	
Art. I, Fire Districts and Ambulance Companies and Suffolk Regional Off-Track Betting Corporation	Ch. 189, Art. III
Art. II, Procurement Policy	Ch. 1065, Art. I
Art. III, Consultant/Personal Services Procurement	Ch. 1065, Art. II
Art. IV, Health Insurance Plans	Ch. 1065, Art. III
Art. V, Energy Star Labeling Program	Ch. 189, Art. IV
Art. VI, Green Clean Program	Ch. 189, Art. V
Ch. 712, Real Estate Appraisal, Acquisition and Disposition	Ch. 1070
Ch. 715, Records Retention	
Art. I, Government Records	Ch. 1079, Art. I
Art. II, Public Community College Records	NI
Ch. 716, Regional Planning Council	Ch. 1083
Ch. 717, Reimbursements	
Art. I, Local Early Intervention Coordinating Council and Subcommittee Meetings	REP
Ch. 718, Request for Proposals	Ch. 1087
Ch. 719, Reserve Funds	Ch. 1091
Ch. 726, Retirement Benefits for Legislators	Ch. 1095
Ch. 730, Rewards and Incentive Programs	Ch. 1099
Ch. 738, Road Record Map Fees	NI
Ch. 740, Roller Blades, Roller Skates and Skateboards	Ch. 1105
Ch. 744, Rooming House Permits	REP
Ch. 750, Salaries and Compensation (reference page)	NI
Ch. 754, Sale of County Code	REP
Ch. 760, Sanitary Code (reference page)	NI
Ch. 768, Self-Funded Health Program	Ch. 1110

Chapter/Title From 1985 Code	Location in 2011 Code
Ch. 769, Self-Insurance Program	Ch. 1114
Ch. 772, Sewer Agency	Ch. 1118
Ch. 775, Sex Offender Policies	Ch. 1122
Ch. 780, Social Services Department	
Art. I, Reports for Welfare Placement	Ch. 1127, Art. I
Art. II, Family Fare Program	NCM
Ch. 788, STARE Program	NCM
Ch. 791, Suffolk County at Work Commission	REP
Ch. 793, Suffolk County Vanderbilt Museum Commission Membership	NI
Ch. 815, Surface Water Protection	
Art. I, Surface Water Protection Commission	Repealed by L.L. No. 16-1993
Art. II, Disposal of Stormwater Runoff	Ch. 1133, Art. I
Ch. 817, Swimming Pools	Ch. 1138
Ch. 820, Taxation	
Art. I, Real Property Tax Installment Payments by Supplemental Security Income Recipients	Ch. 1143, Art. II
Art. II, Payment of Delinquent Property Taxes in Installments	Ch. 1143, Art. III
Ch. 821, Tax Policy	NCM
Ch. 822, Tax Rolls	Ch. 1143, Art. I
Ch. 825, Teacher Recognition	NI
Ch. 830, Title Examination	Ch. 1147
Ch. 833, Transfer of Development Rights Implementation Plan	Ch. 1151
Ch. 835, Transportation Advisory Board	Ch. 1155
Ch. 840, Unified Cash Management and Borrowing Procedure Committee	NCM
Ch. 848, Vector Control	Ch. 1162
Ch. 850, Vending Machines	Ch. 1166
Ch. 852, Veteran Recognition	Ch. 1075, Art. III
Ch. 854, Videotaping of Evidence	NI
Ch. 857, Volunteer Recognition	
Art. I, Representatives of Legislative Districts	Ch. 1075, Art. I
Art. II, Members of County Boards and Commissions	Ch. 1075, Art. II
Art. III, Volunteer Firefighters and EMS Personnel	NI
Ch. 858, Wage, Prevailing	Ch. 1173

Chapter/Title From 1985 Code

Location in 2011 Code

Ch. 858A, Water Quality Protection

Art. I, Protection and Restoration Program

Art. II, Use of CCA-Treated Lumber

Ch. 859, Web Site Open Information Policy

Ch. 860, Welfare

Art. I, Anti-Welfare Fraud Strike Force

Art. II, Suffolk County Welfare to Work Commission

Art. III, Housing for Public Assistance Recipients

Art. IV, Verification of Certificates of Occupancy and/or Rental Permits

Ch. 865, Wireless Communications

STATUTES APPLICABLE TO SUFFOLK COUNTY

Ch. 922, Communal Sewerage Systems, Trust Fund for (Town Law § 277, Subsection 5)

Ch. 982, Suffolk County Tax Act

Ch. 987, Vehicles, Unidentifiable (L. 1995, c. 122, § 1)

Repealed by L.L. No. 24-2007

Ch. 943, Art. I

Ch. 1177

NCM

Ch. 1180, Art. I

Ch. 1180, Art. II

Ch. 1180, Art. III

Ch. 1184

NI

Ch. 1195

NI

**Suffolk County Code Adoption
Exhibit "B"**

As noted in § 1-4(B), the following changes were made to chapters in the Suffolk County Code as described below:

Part I: Administrative Local Laws

Chapter 25, Conservation Easements

1. The definition of "BOARD" in § 25-2 is amended as follows: "BOARD – The Board of Trustees of the Suffolk County Department of Parks, Recreation and Conservation."
2. The definition of "DEPARTMENT" in § 25-2 is amended as follows: "DEPARTMENT – The Suffolk County Department of ~~Real Estate~~ Environment and Energy, Division of Real Property Acquisition and Management."

Chapter 29, Conveyance of Property

Article I, Procedures

1. The definition of "CONVEYANCE" in § 29-2 is amended to read as follows:
"CONVEYANCE – The transfer by quitclaim deed of a parcel of real estate located within the County of Suffolk, title to which has vested in the County of Suffolk via the Suffolk County Tax Act, as amended, for nonpayment of taxes, and the period of time for redemption of which has expired under Administrative Code § A42-3, which transfer is authorized by Subdivision 8 of § 215 of the New York County Law."
2. Section 29-3E(3) is amended as follows: "(3) In addition, no resolution authorizing a conveyance shall be approved by the Legislature unless such application has been filed no later than 24 months immediately subsequent to the expiration of the period of time for redemption allowed under Administrative Code § A42-3 ~~Local Law No. 16-1976, as amended.~~"
3. Section 29-3K is amended as follows: "K. Consideration for release. The County's interest may be released only after payment, as to each parcel to be released, of the following sums of money: a certified check, bank check, or money order made payable to the Suffolk County Clerk in payment of the fees required to record the deed and file any other documents necessary to properly record the deed, together with a notarized affidavit signed by the redeeming applicant/owner, stating that the applicant/owner accepts the deed tendered by the County and has no objection to delivery of the deed to the Suffolk County Clerk for recording on the applicant's/owner's behalf by the Division of Real Property Acquisition and Management ~~Estate.~~"

Article II, Surcharge for Property Sold at Public Auction

Section 29-6D is revised to change "County jail" to "Suffolk County Correctional Facility."

Chapter 53, Disability Truth-in-Hiring Policy

This chapter is amended to change “Department of Human Resources and Civil Service” to “Department of Human Resources, Personnel and Civil Service.”

Chapter 64, Empire Zone

1. Section 64-1A is amended to change “New York State Economic Development Zone Act” to “New York State Empire Zones Act.”
2. Section 64-1B is amended to change “seven zones” to “12 zones.”

Chapter 68, Employee Relations

1. Section 68-1 is amended as follows: “The Suffolk County Legislature hereby finds and declares that it is in the best interests of the citizens of the County and the employees of the Suffolk County government to provide for the effective implementation of the requirements of the Public Employees’ Fair Employment Act, as set forth in Article 14 of the Civil Service Law, as amended by ~~Chapters 216, 429, 677, 678 and 817 of the Laws of 1977~~, by establishing local provisions and procedures with respect to the determination of the representation status of employees’ organizations and the resolution of disputes in the course of collective negotiations with such organizations. It is the purpose of the said Act and the local provisions and procedures herein established to promote a harmonious and cooperative relationship between the County government and its employees and to protect the public by assuring, at all times, the orderly and uninterrupted operations and functions of County government. With this end in view, this Suffolk County Legislature also creates, as hereinafter provided, a local Public Employment Relations Board.”
2. Section 68-3 is amended as follows: “Employees of the County of Suffolk shall have the right to be represented by employee organizations to negotiate collectively with the County in the determination of their terms and conditions of employment and the administration of grievances arising thereunder. The terms "employee organization" and "terms and conditions of employment," as used in this chapter, shall have such meanings as are defined in § 201 of Article 14 of the Civil Service Law, as last amended by ~~Chapters 216, 429, 677, 678 and 817 of the Laws of 1977~~.”
3. Section 68-8C is revised to delete the reference to State Finance Law § 6-a and to replace it with a reference to State Finance Law § 201.

Chapter 71, Employees making Allegations of Misconduct, Protection of

1. Section 71-2 is amended as follows: ““Improper government action" shall mean any action by an employee which is undertaken which is in violation of any federal, state or local law, rule or regulation or which is economically wasteful, whether or not such action is within the scope of his employment.”
2. Section 71-3A(6) is amended as follows: “(6) The Chairman of the Labor, Workforce and Affordable Housing Committee or any successor committee ~~Legislative, Personnel and Judiciary Committee~~.”

Chapter 77, Ethics and Accountability

Article I, Financial Disclosure

1. The definition of “County officers or employees” in § 77-4 and § 61-7 are amended to delete references to the Suffolk County Pine Barrens Review Commission.”
2. Section 77-8 is amended to read as follows: “All County officers and employees shall file their respective statements with the Board on or before May 15 of each year.”
3. This chapter is revised to change “employee” to “officer and employee.”
4. Section 77-10B is amended as follows: “B. Criminal. If any officer or employee files a statement with the intent to deceive, to intentionally misrepresent or to otherwise fraudulently answer any question set forth in the statement or to intentionally withhold any information asked or demanded in the statement and if such deception or misrepresentation is found to be both intentional and material ~~as defined in § 61-4 herein~~, then such officer or employee shall, upon conviction, be guilty of a Class A misdemeanor, punishable by a fine of up to \$1,000 and/or a term of imprisonment of up to one year. In all criminal proceedings, the Board, through a designated representative, shall act as a complaining witness.”

Article II, Time Accounting by Commissioners, Department Heads and Deputies

Section 77-13C is amended to change “Department of Human Resources and Civil Service” to “Department of Human Resources, Personnel and Civil Service.”

Chapter 82, Film Commission

This chapter is revised to change “Commissioner of Economic Development” to “Commissioner of Economic Development and Workforce Housing.”

Chapter 103, Forum for the Arts

1. The definition of “SUFFOLK COUNTY FORUM FOR THE ARTS” in § 103-1 is amended to read as follows: “A County agency consisting of a citizens’ advisory arts council and a program director with staff. Such organization shall ensure the existence of a checks-and-balances system to unite objectively the arts activities within the County.”
2. Section 103-4B is amended to change “Commissioner of Economic Development” to “Commissioner of Economic Development and Workforce Housing.”
3. Former § 68-3, Subsection A, regarding the creation of the Forum, and Subsection B, Legislative committee, are deleted.

Chapter 110, Health and Safety of Employees

General Standards

Section 110-4A is revised to change “Department of Human Resources and Civil Service” to “Department of Human Resources, Personnel and Civil Service.

Article III, Workplace Guidelines Against Sexual Harassment

1. Former § 82-22, Determination of environmental impact, is deleted.

2. Former § 82-23, Sexual harassment Regulations and Complaint Procedure, is removed from the chapter and included as an attachment at the end of the chapter.
3. Former § 82-24, Progressive discipline procedure, has been moved to Chapter 963, Harassment, as Article I.

Chapter 119, Human Rights Commission

Former § 89-3J, adding new investigators to 1998 staffing levels, is deleted.

Chapter 141, Land Exchanges

1. This chapter is amended to change “Department of Real Estate” to “Department of Environment and Energy, Division of Real Property Acquisition and Management.”
2. Section 141-2G is amended to change “Subsection B” to “Subsection D.”

Chapter 178, Preschool Handicapped Transportation

Section 178-7B is revised to remove the repealed statutory reference to Penal Law § 220.05.

Chapter 189, Purchasing and Contracts

Article I, Charitable Organizations

Section 189-3A and D are amended to change “Department of General Services” to “Department of Public Works, Purchasing Division.”

Article II, Disqualification of Nonresponsible Bidders

1. Section 189-4 is amended to change “County projects and contacts” to “County projects and contracts.”
2. The definition of “conviction” in § 189-5 is amended as follows: “CONVICTION – A finding of guilty after a trial or a plea of guilty to an offense covered under the provisions of the definition of “nonresponsible bidder” in this section.”

Article VI, Utilization of Minority- and Women-Owned Businesses

1. The definition of “disparity study” is deleted from § 189-23.
2. Former § 143-15, Disparity study, is deleted.

Chapter 205, Salaries and Compensation

Article I, Equitable Compensation for Certain Elected Officers

Section 205-2 is amended to read as follows: *

Chapter 210, Senior Citizens’ Advisory Board

Section 210-2B is amended to change “Director of Transportation and Franchises” to “Director of Transportation Services.”

Chapter 221, Social Services Department

Article II, Standards for Rental Housing

1. Section 221-5A is amended to change “welfare recipients” to “recipients of public assistance and care.”
2. Section 221-10 is amended to change “Human Services Committee” to “Health and Human Services Committee.”

Article III, Anti-Welfare Fraud Program

Section 221-3A is amended to change “Aid to Families with Dependent Children (AFDC)” to “Temporary Assistance for Needy Families (TANF).” Section 221-14 is amended to change “AFDC” to “TANF.”

Chapter 232, Tax Notices and Billing

This chapter is amended to change “Legislative Office of Budget Review” to “Legislative Budget Review Office.”

Part II: Regulatory Local Laws

Chapter 278, AIDS Testing

Section 278-6C is amended as follows: “This chapter shall be enforced in accordance with the provisions of Article 2 H, §§ ~~760-12 through 760-24~~, of the Suffolk County Sanitary Code.”

Chapter 294, Alcoholic Beverages

Article I, Public Notice for Pregnant Women

Section 294-4B is amended as follows: “This article shall be enforced by the Suffolk County Department of Health Services in accordance with the provisions of Article 2 H, §§ ~~760-12 through 760-24~~, of the Suffolk County Sanitary Code.”

Chapter 299, Animals

Article II, Anti-Rabies Program

Section 299-15A is amended as follows: “Any person owning or harboring a dog or cat in violation of this article shall be guilty of ~~constitute~~ a violation of law punishable by a civil fine not to exceed \$100.”

Article III, Dangerous Dogs

Section 299-22B is amended as follows: “The owner of a dog who, through any act or omission, negligently permits his or her dog to bite a person ~~domestic animal~~ causing serious physical injury shall be subject to a civil penalty not to exceed \$800 in addition to any other applicable penalties.”

Chapter 302, Animal Shelters and Kennels

Article I, Animal Shelters

Former § 216-7U, regarding veterinarians called in to examine sick or injured animals, is deleted.

Chapter 314, Banking Practices

1. The reference in § 314-3 is changed from § C31-2M to § C31-3A(13).
2. This chapter is amended to change “Department of Taxation and Finance” to “Department of Finance and Taxation.”

Chapter 357, Carbon Dioxide Emissions

Section 357-2, Definitions, is amended as follows:

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

ELECTRIC-GENERATING UNIT – Any fossil-fuel-fired combustion unit or a combination of units at a single facility located in the County of Suffolk with a single or aggregate nameplate capacity of more than 25 megawatts that serves as a generator which produces electricity for use or sale, ~~or any fossil-fuel-fired combustion unit located in the County of Suffolk that produces steam for sale.~~

STEAM-GENERATING UNIT – Any fossil-fuel-fired combustion unit or a combination of units at a single facility located in the County of Suffolk ~~with a capacity of more than 25 megawatts that serves as a generator which produces electricity for use or sale, or any fossil-fuel-fired combustion unit located in the County of Suffolk~~ that produces steam for sale.

Chapter 370, Cemeteries

Article I, Pet Cemeteries and Crematoriums

Section 370-3B(1) is amended as follows: “All applications for licenses shall be submitted, in writing, on forms furnished by the lead agency and shall be accompanied by a nonrefundable application fee in the amount of \$200. The fee for a license shall be \$200 per annum. It ~~shall~~ may be renewed biennially for \$400. No application fee shall be imposed on nonprofit or not-for-profit corporations or organizations.”

Chapter 420, Drug Premises and Property

Article II, Forfeiture of Property Used in or Obtained Through Crime

Section 420-7K is amended as follows: “If, after a seizure of property has been made under § 420-6 of this article, it is determined that the noncriminal defendant of the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or the individual whose criminal actions precipitated the seizure,

has not been previously convicted at least once of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a) or § 49-a of the New York Navigation Law or having been found guilty of violating § 1192-a or 1212 of the New York Vehicle and Traffic Law, then the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense so seized shall immediately be returned to its lawful owner as of the time of seizure.”

Chapter 438, Emergency Shelters

Article I, Congregate Emergency Shelters

1. Section 438-3F(3) is amended to change “families” to “residents.”
2. Section 438-C(1) is amended as follows: “The Division shall have the power to impose a civil fine, not to exceed \$1,000, upon a person holding a certification or to suspend or revoke a certification or to deny an application for the renewal of a certification for any one or more of the following causes: . . .”

Article II, Access by County Representatives

Section 438-13A is amended to delete the County Department of Alcohol and Drug Abuse Services, which was repealed 6-29-1993 by L.L. No. 17-1993.

Chapter 441, Emergency Telephone System

1. This chapter is revised to change “Enhanced 911 Steering Committee” to “E-911 Commission” throughout.
2. The definition of “voice-over-Internet protocol service” in § 441-2 is revised to delete the following duplicate subsection: “Requires a broadband connection from the user’s location.”

Chapter 450, Environmental Quality Review

Statutory references in this chapter are updated as follows:

Code Section	Outdated NYCRR 617 Reference	Updated to NYCRR 617
450-5C	617.4(c)	617.14(c)
450-5H(3), I, J, K, M, O(1)	617.10	617.12
450-5L	617.14	617.9
450-5O(1) and P	617.9(c) and (d)	617.11(c) and (d)
450-8A	617.12	617.4
450-8B	617.13	617.5

Chapter 463, Filming

Section 463-6B is amended to change “Department of Health” to “Department of Health Services.”

Chapter 494, Gasoline Sales

Article II, Water Contamination

This article is amended to change “Department of Weights and Measures” to “Bureau of Weights and Measures.”

Article III, lead and Methyl Tertiary Butyl Ether Contamination

This article is amended to change “Department of Weights and Measures” to “Bureau of Weights and Measures.”

Article V, Registration of Motor Fuel Distributors

Section 494-24 is added as follows:

§ 494-24. Definitions.

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

DEPARTMENT – The County Department of Consumer Affairs.

MOTOR FUEL – Liquid used as fuel for internal-combustion engines. This term shall specifically include, but not necessarily be limited to, gasoline, diesel fuel and gasohol.

Chapter 512, Hazardous Waste

Subsection C(2) of the definition of “hazardous waste” in § 512-3 is amended to change “Department of Fire Safety” to “Department of Fire, Rescue and Emergency Services.”

Chapter 517, Home Improvement

Article I, Licensed Home Improvement Contractor Restitution Fund

1. The definition of “home improvement contracting” in § 517-1 is amended as follows:

HOME IMPROVEMENT CONTRACTING – Excluding work in the electrical and plumbing fields as defined by Chapter 563, Licensed Occupations, Article XI, Electricians and Plumbers, § 563-126, of the Suffolk County Code, any repair, remodeling, alteration, conversion, modernization, improvement or addition to residential property, and includes but is not limited to ~~alarm systems, painting of residential structures,~~ carpentry, fencing, driveways, exterminating, flooring, ductwork for heating, ventilating and air-conditioning systems, masonry, roofing, siding, swimming pools, and waterproofing, as well as other improvements to structures or upon land which is part of residential property, including landscaping and arboriculture, which as used herein shall mean tree sprayers, tree pruners, tree stump removers and all other tree services; but this definition shall not include the construction of a new home or work done by a contractor in compliance with a guaranty of completion on new residential property or the sale of goods by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation of or application of the

goods or improvements to residences owned by or controlled by any government subdivision.

2. Section 517-2C is amended as follows: “The Suffolk County Treasurer and County Comptroller are hereby authorized, empowered and directed to deposit such funds as may be collected to the fund in a separate account. ~~The County Treasurer is hereby authorized to invest the proceeds of this account in any instruments authorized for the investment of reserve funds under § 6 f of the New York General Municipal Law.~~ All proceeds and earnings of such investments shall be retained in the fund and shall be utilized solely and exclusively for the purpose of that account.”
3. Section 517-4C is amended to change “fee of \$50” to “fee of \$100.”

Chapter 523, Hotels and Motels

Article II, Hotel and Motel Tax

Section 523-15E is amended to change “Department of Parks and Recreation” to “Department of Parks, Recreation and Conservation.”

Chapter 528, Human Rights

Article II, Discriminatory Acts

1. Section 528-12C(4)(g) is amended as follows: “All complaints administratively dismissed pursuant to this section shall be reported in the Yearly Report of the Human Rights Commission ~~mandated by Chapter 89 of the Suffolk County Code~~ and will include: . . .”
2. Section 528-12C(5)(c) is amended as follows: “The terms of any conciliation agreement may contain such provisions as may be agreed upon by the Commission, the complainant ~~complaint~~ and the respondent, including a provision for the entry in court of a consent decree embodying the terms of the conciliation agreement.”

Chapter 534, Incarceration Costs

This chapter is revised to change “Suffolk County jail” to “Suffolk County Correctional Facility.”

Chapter 563, Licensed Occupations

1. Section 563-4A is amended to change “state or local public authority” to “state or local authority.”
2. Section 563-6C is amended as follows: “Failure to make application and pay the required ~~annual~~ fee for a license renewal prior to the expiration date of said license shall render the license null and void on the expiration date. Compliance with the provisions of this section shall entitle the licensee to the renewal of his license, provided that such license has not been suspended or revoked by the Director prior to the expiration date.”
3. Section 563-7B is amended as follows: “A licensee shall obtain ~~attain~~ a supplementary license for each additional place of business maintained by such licensee within the

County of Suffolk upon application therefor on a form prescribed by the Director and the payment of a per-annum fee of \$50. Each such supplementary license shall have the word "supplementary" stamped across the face thereof, shall bear the same number as the original and shall be conspicuously posted in each additional place of business."

4. Section 563-17C is amended as follows: "All certificates of public liability and property damage insurance and workers' compensation shall be furnished to the Office by the applicant prior to the initial issuance of the license or at any time there is a change in insurance carrier. At the time of ~~the annual~~ license renewal, a sworn affidavit shall be required stating that all insurance is in effect or a certificate of insurance filed."
5. Section 563-25C is amended as follows: "Compensation. Each member of the Board shall be compensated at the rate of \$100 for each official meeting thereof attended in pursuance of the duties of said Board, but not more than \$1,500 in any calendar year."
6. Section 563-40 is amended as follows: "~~Notwithstanding the provisions of § 345-11A(4) herein,~~ Every applicant for a precious metal and gem exchange license shall submit a five-thousand-dollars bond or, for renewal of a license, evidence of a bond issued in favor of the licensee. This bond shall be for the purpose of guaranteeing payments up to the face amount of the bond for bank drafts or other negotiable instruments issued by the licensee in exchange for the purchase of precious metals and gems. All bonds must be conditioned so that the licensee will observe all laws in relation to precious metal and gem dealers and will conduct business in conformity thereto. Such bond shall remain in force during the entire period for which the license is valid. The Director may establish rules and regulations concerning the amount of a bond to be posted upon proper notice to the licensee."
7. Subsection A of the definition of "dealer in secondhand articles" in § 563-49 is amended as follows: "Any person, corporation, partnership or other entity and its employees that, as a business, transacts more than five deals in the purchase or sale of the following secondhand articles within a twelve-month period: . . ."
8. Section 563-78A is amended to change "state or local public authority" to "state or local authority ('public authority')."
9. Section 563-93A is amended to change "state or local public authority" to "state or local authority ('public authority')."

Chapter 575, Living Wage

Section 575-3G is amended to change "Department of Human Resources and Civil Service" to "Department of Human Resources, Personnel and Civil Service."

Chapter 586, Mammography

Article I, Public Education Program

Section 586-2A is amended to change "Commissioner" to "Commissioner of Health Services" and to change "Division of Women Services" to "Office of Women's Services."

Chapter 599, Motor Fuel Facilities

Section 599-5C is amended as follows: “A violation of this chapter shall subject the violator to a ~~civil~~ fine of up to \$2,000 or imprisonment for up to 30 days, or both, imposed in accordance with § 361-6 of this chapter.”

Chapter 633, Open Space Preservation

1. The definition of “approving authority” in § 633-2 is amended as follows: “The Department of Health Services, Department of Public Works, Suffolk County Sewer Agency, or the Suffolk County Planning Commission ~~or the Suffolk County Pine Barrens Commission.~~”
2. The definition of “Commissioner” in § 633-2 is amended as follows: “The Commissioner of the Suffolk County Department of ~~Real Estate~~ Environment and Energy, Division of Real Property Acquisition and Management.”

Chapter 639, Off-Street Parking

Article I, Traffic Regulations on County-Owned Property

Section 639-13B(1) is amended to change “Purchasing Division, in the County Department of Audit and Control” to “Purchasing Division, in the County Department of Public Works Audit and Control.”

Chapter 647, Pest Control

Article I, Pest Control Policy

Section 380-4, Pest management plan; Committee, is deleted.

Chapter 656, Planned Retirement Communities

Article II, Homeowners’ Right of First Refusal

1. Section 656-16E is amended to delete the reference to Administrative Code § A32-2I or J and to replace it with a reference to Administrative Code § A42-3.
2. The following lead-in paragraph is added to § 656-20: “Except as set forth in § 656-19C for violations of that section, the following penalties shall apply to violations of this article: . . .”

Chapter 668, Polygraph Examinations

Article I, Examination of Minors

Section 668-4 is amended to read as follows: “Failure to comply with § 668-3 of this article shall constitute a misdemeanor, punishable by a fine of up to but not more than \$500 or imprisonment for not more than one year, or both. ~~Upon conviction of a violation of this article, the Commissioner shall immediately withdraw any registration and license of such individual or business issued pursuant to Local Law No. 30-1985.~~”

Chapter 735, Senior Citizens Bill of Rights

Section 735-2B is amended to change “Office of Aging” to “Office for the Aging.”

Chapter 740, Sewers

1. The following Code of Federal Regulations references are updated:

Section	Definition	Former Reference	Updated Reference
740-1	“objectionable, prohibited or limited wastes,” Subsection (1)	40 CFR 403.3(p)	40 CFR 403.3(r)
740-1	“pretreatment”	40 CFR 403.3(q) 40 CFR 403.3(r)	40 CFR 403.3(s) 40 CFR 403.3(t)
740-1	“significant industrial user”	40 CFR 403.3(t)	40 CFR 403.3(v)

2. The definition of “significant industrial user” in § 740-1 is amended as follows: ‘Any industrial or commercial discharger to County sewage works which meets the criteria specified in 40 CFR 403.3(t), which states: "(i) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and (ii) any other industrial user that: (a) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); (b) contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; (c) or is designated as such by the Control Authority ~~as defined in 40 CFR 403.12(a)~~ on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement in accordance with 40 CFR 403.8(f)(6).”
3. Section 740-35A(1) is amended to change “§ 50.05 of the Penal Law” to “§ 80.05 of the Penal Law.”

Chapter 763, Stormwater Management

Article I, Protection of Recharge Basins

Former § 446-7, Management and protection regulations, is deleted.

Chapter 779, Tax Grievance Consultants

Section 779-5A is amended as follows: “All applications for licenses shall be submitted in writing on forms furnished by the Office ~~and shall be accompanied by a nonrefundable application fee in the amount of \$25.~~”

Chapter 818, Vehicles and Traffic

Article VI, Seizure of Vehicles Engaged in Unlawfully Fleeing Police Officers

The definition of “police officer” in § 818-38 is amended to change “§ 1.20 of the New York Penal Law” to “§ 1.20 of the New York Criminal Procedure Law.”

Chapter 826, Vehicles, Vending

Section 826-9 is amended to change “Suffolk County Jail” to “Suffolk County Correctional Facility.”

Part III: Resolutions

Chapter 865, Animals

Article I, Responsible Dog Ownership Program; Animal Cruelty Prevention; Animal Bites Registry

1. The statutory references in § 865-2 are updated to Agriculture and Markets Law § 110, Subdivision 1.
2. Former §§ 550-8.1, RFP Committee for Prevention of Cruelty to Animals, and 550-8.2, Process required for awarding of contracts, are deleted.

Article II, Safe Pets and Families Program

The statutory reference in § 865-7 is updated to § 110(1) of the New York Agriculture and Markets Law.

Chapter 869, Apprenticeship Training

Section 869-4 is revised to correct the Charter reference to § C8-2W.

Chapter 874, Capital Projects

Former § 572-1, Reports required for 1989, has been removed from the Code as its provisions are no longer in effect.

Chapter 880, Child Protection

Article II, Child Sexual Abuse Reporting Policy

This article is revised to change “sodomy” to “criminal sexual act” in accordance with state law.

Chapter 913, Drug Enforcement

Article I, Transfer of Federally Seized Property

Section 913-4A is amended as follows: “The Suffolk County Department of Audit and Control, or any successor department thereto, shall examine, audit and verify all books, records and accounts kept by the Suffolk County Sheriff, pertaining to County forfeiture funds and shall provide a written determination of the regularity, legality and correctness of appropriations and/or expenditures made in connection with such funds to the County Executive and to each

member of the County Legislature no later than May 31 of each year, ~~in accordance with the provisions of § A19-1 of the Suffolk County Administrative Code.~~”

Chapter 935, Employee Benefits

Article VI, Leaves of Absence for national Veterans Organization Conventions

Section 935-26 is amended as follows: “The Personnel Officer of the County Department of Human Resources, Personnel and Civil Service is hereby authorized, empowered and directed, ~~pursuant to § C6-2C of the Suffolk County Charter,~~ to grant a leave of absence with pay to any County employee who is a designated delegate or alternate to a state or national convention of a national veterans organization, as long as each such leave does not exceed three business days.”

Chapter 939, Energy Efficiency

Article I, County Construction Projects

Section 939-1 is revised to correct the Charter reference to § C8-2W.

Chapter 948, Fees and Charges

Article V, Highway Work Fees

Section 948-14B is amended to update the statutory reference to General Municipal Law § 239-f.

Chapter 981, Investment Policy

Section 981-7 is amended as follows: “The banks and trust companies authorized for the deposit of County monies are designated each year at the organizational meeting of the Suffolk County Legislature. ~~Currently Resolution No. 8, dated January 3, 2006, is in effect pursuant to § 212 of the New York County Law.~~”

Chapter 1060, Property, Sale of

Article II, Auction of Surplus or Obsolete Equipment

Section 1060-6 is amended as follows: “The County Department of Information Technology ~~Division of Information Services within the County Department of Human Resources, Personnel, and Civil Service~~ is hereby authorized, empowered, and directed, ~~pursuant to § C6-2C of the Suffolk County Charter,~~ to cooperate with the County Division of Purchasing in preparing such surplus or obsolete computers, fax machines, copiers, printers, electronic equipment, mechanical equipment, or computer equipment for eligibility and availability for disposition by public auction, further.”

Chapter 1083, Regional Planning Council

Section 1083-5 is amended to change “Department of Health” to “Department of Health Services.”

Chapter 1091, Reserve Funds

Article I, Deb Stabilization Reserve Fund

Former § 719-5, Investment of funds, is deleted.

Chapter 1118, Sewer Agency

Former § 772-5A(1), regarding the appointment of engineers for the first stage of Sewage Disposal District No. 1, is deleted.

Chapter 1122, Sex Offender Policies

Article VII, GPS Tracking of Homeless Offenders

Section 1122-19C is amended to change “County Jail” to “County Correctional Facility.”

Chapter 1155, Transportation Advisory Board

Former §§ 835-13, requiring an initial report of findings and recommendations for action, and 835-14, prohibiting the above report from being created by outside consultants, are deleted.

Chapter 1162, Vector Control

Article I, “No Spray” List

Former § 848-7, Aerial Spraying Committee, is deleted.

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

Clerk of the Legislature

Intro. Res.

1688

Res. No.

773

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