

**RESOLUTION NO. 278 -2012, ADOPTING LOCAL LAW
NO. 32 -2012, A LOCAL LAW TO INCREASE LICENSING
FEES FOR MOTOR FUEL FACILITIES OPERATING IN
SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on January 1, 2012, a proposed local law entitled, "**A LOCAL LAW TO INCREASE LICENSING FEES FOR MOTOR FUEL FACILITIES OPERATING IN SUFFOLK COUNTY**"; now, therefore be it

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

LOCAL LAW NO. 32 -2012, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INCREASE LICENSING FEES FOR MOTOR
FUEL FACILITIES OPERATING 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 the County of Suffolk requires all motor fuel facilities to register with the County Department of Consumer Affairs on a biannual basis.

This Legislature also finds and determines that motor fuel facilities currently pay a fixed fee of \$100 for their biannual registration.

This Legislature further finds and determines that this fee is lower than any other County business registration or licensing fee.

This Legislature finds that the annual registration fee should be increased to \$200, bringing the fee in line with other registration and licensing fees.

Therefore, the purpose of this law is to increase the biannual fee for motor fuel facilities from \$100 to \$400.

Section 2. Amendments.

Chapter 599 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 599, MOTOR FUEL FACILITIES

§ 599-4. Certificates of registration.

- A. The Commissioner is authorized and empowered to issue certificates of registration.
- B. The fees for issuance of such certificates shall be as follows:
 - (1) A nonrefundable application fee of ~~[\$50]~~ \$200. This is a one-time fee, paid at the time of an initial application and not upon renewal.
 - (2) In addition, the fee for each motor fuel facility registration shall be ~~[\$50]~~ \$200 per year.

- G. Any additional administrative fees imposed by the Department of Consumer Affairs must be approved via a duly enacted resolution of the Legislature prior to implementation.

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.

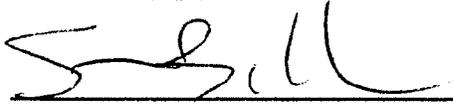
Section 6. Effective Date.

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: April 24, 2012

APPROVED BY:



County Executive of Suffolk County

Date: May 15, 2012
After a public hearing duly held on May 9, 2012
Filed with the Secretary of State on June 5, 2012

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 April 24, 2012 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. 1055

Res. No. 2078

April 24, 2012

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	1				
2	Jay H. SCHNEIDERMAN	1				
3	Kate M. BROWNING	1				
4	Thomas MURATORE	1				
5	Kara HAHN	1				
6	Sarah S. ANKER	1				
7	Rob CALARCO	1				
9	Ricardo MONTANO	1				
10	Thomas CILMI	1				
11	Thomas F. BARRAGA	1				
12	John M. KENNEDY, JR.	1				
13	Lynne C. NOWICK	1				
15	DuWayne GREGORY	1				
16	Steven H. STERN	1				
17	Lou D'AMARO	1				
18	William SPENCER	1				
14	Wayne R. HORSLEY, D.P.O.	1				
8	William J. LINDSAY, P.O.				1	
Totals		17	1		1	

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