

WITHDRAWN AS OF 1/28/2013
AMENDED COPY AS OF 9/18/2012

Intro. Res. No. 1840-2012
Introduced by Legislator Anker

Laid on Table 8/21/2012

**RESOLUTION NO. -2013, ADOPTING LOCAL LAW
NO. -2013, A LOCAL LAW TO EXPEDITE THE RETURN
OF BLIGHTED PROPERTIES TO THE TAX ROLL AND
PRODUCTIVE USE**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2012 a proposed local law entitled, "**A LOCAL LAW TO EXPEDITE THE RETURN OF BLIGHTED PROPERTIES TO THE TAX ROLL AND PRODUCTIVE USE**"; now, therefore be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO EXPEDITE THE RETURN OF BLIGHTED PROPERTIES
TO THE TAX ROLL AND PRODUCTIVE USE**

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 Resolution No. 1010-1972 established a policy whereby the County of Suffolk is the sole bidder at real property tax lien sales.

This Legislature further finds that the County of Suffolk has enacted several local laws which establish a long time frame during which former owners may seek to reclaim property from the County.

This Legislature determines that, pursuant to Article 40 of the Suffolk County Administrative Code, former property owners may make a redemption application to the County for a period of six months after the County takes a tax deed. Chapter 29 of the Suffolk County Code provides an additional two-year period during which owners may apply for redemption under "hardship" conditions.

This Legislature finds that the County's redemption statutes, while well intentioned, produce significant negative consequences. Most significantly, the County is required to make other taxing jurisdictions whole while these properties remain in County ownership. Additionally, these tax default properties often become eyesores and/or trouble spots which harm the surrounding communities.

This Legislature further finds that a new, balanced approach is needed that allows former owners a meaningful opportunity to redeem their properties while ensuring that tax default properties are returned to the tax rolls and productive use within a reasonable time period.

Therefore, the purpose of this law is to reduce the hardship redemption time period by one-year.

Section 2. Amendments.

I. Article 40 of the SUFFOK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

Article XL. County Real Property.

* * * *

§ 40-4. Disposition of property acquired through Suffolk County Tax Act.

* * * *

O. The Division of Real Property Acquisition and Management is authorized and empowered to license or lease parcels acquired by tax deed to their prior owners, upon such terms and conditions as it deems appropriate, until such time as the County disposes of such parcels.

II. Chapter 29 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 29. Conveyance of Property.

* * * *

Article I. Procedures.

* * * *

§ 29-3. Conveyance procedure.

* * * *

(3) In addition, no resolution authorizing a conveyance shall be approved by the Legislature unless such application has been filed no later than [24] 12 months immediately subsequent to the expiration of the period of time for redemption allowed under Administrative Code § A[42-3] 40-3.

* * * *

Section 3. Applicability.

A. The amendment to Article 40 of the SUFFOLK COUNTY ADMINISTRATIVE CODE set forth in Section 2 of this law shall apply to all properties acquired by the County of Suffolk by tax deed.

B. The amendment to Chapter 29 of the SUFFOLK COUNTY CODE set forth in Section 2 of this law shall apply only to those properties acquired by the County of Suffolk by tax deed 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:

APPROVED BY:

County Executive of Suffolk County

Date: