

**RESOLUTION NO. 833 -2014, ADOPTING LOCAL LAW  
NO. 28 -2014, A LOCAL LAW TO STRENGTHEN PUBLIC  
NUISANCE LAW**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on July 29, 2014, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN PUBLIC NUISANCE LAW**;" now, therefore be it

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

**LOCAL LAW NO. 28 -2014, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO STRENGTHEN PUBLIC NUISANCE LAW**

**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 Chapter 623 of the SUFFOLK COUNTY CODE authorizes the County of Suffolk to pursue legal remedies against property owners who permit their houses and buildings to be used for illegal purposes.

This Legislature further finds that the procedures and remedies set forth in Chapter 623 to combat these public nuisances are triggered when the Police Department reports to the County Attorney "the address of any home at which an arrest for prohibited conduct has occurred...."

This Legislature also finds that the statute's language should be broadened so actions against nuisance properties can be initiated in those situations where prohibited conduct is found on said property, but the Police Department makes an arrest off premises.

Therefore, the purpose of this law is to require the Police Department to report to the County Attorney each time prohibited conduct occurs at any building or residence whether an arrest for the prohibited conduct is made on or off the subject premises.

**Section 2. Amendments.**

Chapter 623 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 623. NUISANCE PROPERTIES**

**§ 623-3. Suffolk County governmental determinations.**

\* \* \* \*

- A. The Suffolk County Police Department must report to the Department the address of any [home] building, residence, premises or place at which [an arrest for] prohibited conduct has occurred which has resulted in charges filed or an arrest within 90 days of [the

arrest] such action, or within 90 days of the cessation of any ongoing investigations or police matters which could be hampered in any way by the forwarding of such information outside the Police Department.

\* \* \* \*

**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: October 7, 2014

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: October 21, 2014  
After a public hearing duly held on October 21, 2014  
Filed with the Secretary of State on November 10, 2014