

**RESOLUTION NO. 806 -2015, ADOPTING LOCAL LAW
NO. 31 -2015, A LOCAL LAW TO AMEND RESOLUTION NO.
560-2015, A LOCAL LAW TO REGULATE "BOARD UP"
BUSINESSES IN SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on July 28, 2015, a proposed local law entitled, "**A LOCAL LAW TO AMEND RESOLUTION NO. 560-2015, A LOCAL LAW TO REGULATE "BOARD UP" BUSINESSES IN SUFFOLK COUNTY**"; now, therefore be it

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

LOCAL LAW NO. 31 -2015, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO AMEND RESOLUTION NO. 560-2015, A
LOCAL LAW TO REGULATE "BOARD UP" BUSINESSES 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 Resolution No. 560-2015 regulates "board up" businesses operating in Suffolk County.

This Legislature also finds and determines that the current regulation leaves a gap in the protection of consumers.

This Legislature further finds and determines that the requirement that "board up" businesses obtain a surety bond in addition to other forms of insurance and protection will better protect the residents of Suffolk County.

Therefore, the purpose of this law is to amend Resolution No. 560-2015 to require "board up" businesses obtain a surety bond in addition to liability insurance.

Section 2. Amendments.

Section 3 of Resolution No. 560-2015 is hereby amended as follows:

Section 3. Registration Required.

B. Each registrant must provide the following information and appropriate supporting documentation:

- 1) The name of the board up business.
- 2) The principal address and the names of all owners of the business.

- 3) Documents providing proof of public liability and property damage insurance, workers' compensation, [or] and a surety bond.

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 its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: October 6, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 26, 2015
After a public hearing duly held on October 19, 2015
Filed with the Secretary of State on November 4, 2015