

**RESOLUTION NO. 194 -2016, ADOPTING LOCAL LAW
NO. 8 -2016, A LOCAL LAW TO EXPAND PUBLIC
NOTIFICATION OF SEWAGE CONTAMINATION IN SUFFOLK
COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on February 9, 2016, a proposed local law entitled, "**A LOCAL LAW TO EXPAND PUBLIC NOTIFICATION OF SEWAGE CONTAMINATION IN SUFFOLK COUNTY**"; now, therefore be it

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

LOCAL LAW NO. 8 -2016, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO EXPAND PUBLIC NOTIFICATION OF SEWAGE
CONTAMINATION 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 Local Law No. 57-2012 (now codified at Chapter 840, Article III of the SUFFOLK COUNTY CODE) requires operators of private sewage treatment plants to notify the Department of Health Services when untreated or partially treated sewage is discharged from their plant. This law further requires that Health Services give notice of such discharges to the County Executive and the County Legislator representing the district where the discharge occurs.

This Legislature also finds and determines that notification of public officials is a key element in keeping the public informed in the event of a sewage contamination incident.

This Legislature further finds and determines that in addition to the County Executive and members of the County Legislature, public officials in the towns or villages should be notified when sewage contamination occurs within their jurisdiction.

Therefore, the purpose of this law is to expand the sewage notification requirements to include the Supervisor or Mayor of the town or village in which a discharge occurs.

Section 2. Amendments.

Chapter 840 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 840.
WATER**

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ARTICLE III.
Public Notification of Sewage Contamination

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§ 840-11. Notification of elected officials and public.

- A. Within 12 hours of receiving a report of sewage discharge, the Department of Health Services shall notify the County Executive [and], the County Legislator representing the district in which the discharge occurred and the Town Supervisor or Village Mayor of the town or village in which the discharge occurred.

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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: March 22, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: April 7, 2016

After a public hearing duly held on April 4, 2016
Filed with the Secretary of State on May 2, 2016