

**RESOLUTION NO. 574 -2010, ADOPTING LOCAL LAW
NO. 33 -2010, A LOCAL LAW TO ENCOURAGE THE SALE OF
SUBSTANDARD PROPERTIES IN THE COUNTY'S
INVENTORY TO ADJACENT PROPERTY OWNERS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 27, 2010, a proposed local law entitled, "**A LOCAL LAW TO ENCOURAGE THE SALE OF SUBSTANDARD PROPERTIES IN THE COUNTY'S INVENTORY TO ADJACENT PROPERTY OWNERS**"; now, therefore be it

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

LOCAL LAW NO. 33 -2010, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ENCOURAGE THE SALE OF SUBSTANDARD
PROPERTIES IN THE COUNTY'S INVENTORY TO ADJACENT
PROPERTY OWNERS**

**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 pursuant to the SUFFOLK COUNTY TAX ACT, Suffolk County takes title to properties when property owners fail to pay their property taxes.

This Legislature also finds that it is in the best interests of County taxpayers to move these tax default properties out of the County inventory and back on to the tax rolls as quickly as possible.

This Legislature further determines that the County of Suffolk normally offers tax default properties for sale at public auction. However, some of the properties in the County inventory are substandard or irregular and cannot support development. Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE authorizes the County to sell such parcels directly to adjacent property owners if their appraised value is less than \$30,000.

This Legislature finds that the County's inventory presently includes some substandard parcels which appraise above \$30,000.

This Legislature further finds and determines that allowing the direct sale of substandard lots with appraised values up to \$50,000 would facilitate the quick return of more parcels to the tax rolls, thereby increasing tax revenues and reducing expenses related to the oversight and maintenance of these parcels.

Therefore, the purpose of this law is to authorize the Division of Real Property Management and Acquisition, subject to legislative approval, to sell substandard lots appraised for less than \$50,000 directly to adjacent property owners.

Section 2. Amendments.

Article XLII of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

Article XLII. DEPARTMENT OF ENVIRONMENT AND ENERGY

§A42-4. Disposition of property acquired through Suffolk County Tax Act.

H.)

(3) In the event a parcel offered for sale pursuant to the preceding provisions of this subsection is not sold the first time it is offered at a special auction, and the parcel is appraised for less than ~~[\$30,000]~~, \$50,000 the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

(4) In the event a parcel does not meet applicable minimum zoning code requirements in order to be developed, is appraised for less than ~~[\$30,000]~~ \$50,000, and fails to satisfy the criteria for special auction under the provisions of this subsection, the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

Section 3. Applicability.

This law shall apply to the disposition of tax default properties 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: June 8, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2010

After a public hearing duly held on June 21, 2010
Filed with the Secretary of State on July 22, 2010