

Intro. Res. No. 1622-2016
Introduced by Legislators Lindsay and Hahn

Laid on Table 6/21/2016

**RESOLUTION NO. 803 -2016, ADOPTING LOCAL LAW
NO. 26-2016, A LOCAL LAW TO CAP TAX MAP VERIFICATION
FEES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 21, 2016, a proposed local law entitled, "**A LOCAL LAW TO CAP TAX MAP VERIFICATION FEES**"; now, therefore be it

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

LOCAL LAW NO. 26 -2016, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO CAP TAX MAP VERIFICATION FEES

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 the County's tax map verification fee was increased by the enactment of Local Law No. 34-2015.

This Legislature further finds that several homeowners associations that have recorded amendments to their by-laws with the County Clerk this year have been required to pay fees amounting to tens of thousands of dollars.

This Legislature also finds that that the County's statute setting the tax map verification fee at one time capped the fee when a person or entity sought to record documents affecting multiple parcels.

This Legislature concludes that a cap on tax map verification fees should be reinstated to avoid the imposition of excessive recording fees.

Therefore, the purpose of this law is to place a reasonable cap on tax map verification fees when a recording affects numerous parcels.

Section 2. Amendments.

Article 18 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**ARTICLE XVIII.
COUNTY CLERK**

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§ A18-3. Verified identification numbers required on all instruments filed pertaining to title of land.

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- G. The Director of the Real Property Tax Service Agency is entitled, for the verification of Tax Map numbers upon instruments presented for recording or filing, to a fee of \$200 per parcel~~[,];~~ for each additional parcel a fee of \$200 for each parcel, up to a dollar amount not to exceed \$5,000, payable to the County Clerk at the time of recording or filing.

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Section 3. Applicability.

This law shall apply to all instruments presented for recording or filing 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 on January 1, 2017.

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

DATED: September 7, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 4, 2016

After a public hearing duly held on September 19, 2016
Filed with the Secretary of State on October 27, 2016