

**STRICKEN END OF YEAR 2017**

Intro. Res. No. 1824-2017  
Introduced by Legislator McCaffrey

Laid on Table 10/3/2017

**RESOLUTION NO. -2017, ADOPTING LOCAL LAW  
NO. -2017, A LOCAL LAW TO REMOVE SEWER  
CONNECTION FEE WAIVERS FOR OUT-OF-DISTRICT SEWER  
CONNECTIONS FOR DEVELOPMENT PROJECTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2017, a proposed local law entitled, "**A LOCAL LAW TO REMOVE SEWER CONNECTION FEE WAIVERS FOR OUT-OF-DISTRICT SEWER CONNECTIONS FOR DEVELOPMENT PROJECTS**"; now, therefore be it

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

**LOCAL LAW NO. -2017, SUFFOLK COUNTY, NEW YORK**

**ADOPTING LOCAL LAW NO. -2017, A LOCAL LAW TO  
REMOVE SEWER CONNECTION FEE WAIVERS FOR OUT-OF-  
DISTRICT SEWER CONNECTIONS FOR DEVELOPMENT  
PROJECTS**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that sewer districts are vital to Suffolk County's efforts to maintain and improve drinking water and overall water quality.

This Legislature further finds that sewer districts were constructed using taxpayer money within distinct taxing districts and that the sewer districts are designed and intended to be a resource for those living within its boundaries.

This Legislature also finds that it is beneficial to connect as many pieces of property to sewer districts as possible but that those located outside of a sewer district should pay a connection fee as they have not paid taxes to construct and maintain the sewer district.

This Legislature finds that out-of-district sewer connection fees are not only fair and equitable, but also are necessary for maintaining and expanding sewer districts as well as keeping emergency funds available should a disaster occur that would jeopardize the operations of a sewer district.

This Legislature hereby finds and determines that Local Law No. 2-2017 sought to incentivize large scale developers to create affordable housing by waiving these important sewer connection fees on a sliding scale, which is both unfair to property owners located within a sewer district who have been paying sewer district taxes for years and is dangerous for the maintenance of a sewer plant.

Therefore, the purpose of this local law is to remove the ability for sewer connection fees to be waived while keeping the 15% threshold of affordable housing for out-of-district development projects seeking to connect to a sewer district.

**Section 2. Amendments.**

Section 740-45 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**§ 740-45. Connection by premises outside district.**

\* \* \* \*

C. Affordable housing considerations.

- [4. The normal connection fee for a residential housing development which satisfies these affordable housing requirements, set forth herein, shall be reduced in accordance with the following schedule:]

<b>[Percentage of Development Units that are Affordable</b>	<b>Reduction in Connection Fee</b>
20%	20%
25%	26%
30%	32%
35%	38%
40%	44%
45%	50%
50%	56%
55%	62%
60%	68%
65%	74%
70%	80%
75%	100%]

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to residential housing projects that obtain formal approval from the Suffolk County Sewer Agency to connect to a County sewer district 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:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: