

**STRICKEN AS OF 9/6/2018**

Intro. Res. No. 1157-2018  
Introduced by Legislator Trotta

Laid on Table 3/6/2018

**RESOLUTION NO. -2018, ADOPTING LOCAL LAW  
NO. -2018, A CHARTER LAW TO LIMIT COUNTY FEE  
INCREASES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2018 a proposed local law entitled, "**A CHARTER LAW TO LIMIT COUNTY FEE INCREASES**"; now, therefore be it

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

**LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO LIMIT COUNTY FEE INCREASES**

**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 of Suffolk continues to face substantial financial difficulties and chronic budget shortfalls.

This Legislature further finds and determines that in recent years the County has sharply increased multiple fees to generate revenues and ease the pressure on the operating budget. In some cases the fees charged for simple administrative or ministerial actions have doubled from one year to the next. For example, one year after the County's tax map verification fee was increased from \$60 to \$200, the County imposed an additional \$300 charge for the verification of tax map numbers on mortgage instruments.

This Legislature determines that a policy which seeks to generate needed revenue through fee increases is inequitable and unfair because it forces a disproportionate share of the County's operating costs onto small segments of the County's populace.

This Legislature further finds that the fees charged by the County for services should bear some reasonable relationship to the actual cost associated with providing the service.

This Legislature also finds that in the same way the New York State tax cap law limits annual increases in property taxes, the County of Suffolk should adopt a law which limits fee increases.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to limit fee increases to 2% annually, unless a larger increase is approved by a supermajority vote of the County Legislature.

**Section 2. Amendment.**

Article IV of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**ARTICLE IV.  
COUNTY BUDGET AND CAPITAL PROGRAM**

\* \* \* \*

**§ C4-6. Submission of proposed budget by County Executive.**

\* \* \* \*

N. No proposed expense budget for any fiscal year shall increase revenue from an existing County fee, which will require an increase in the fee charged to users of more than 2% over the fee charged to users in the prior fiscal year.

\* \* \* \*

**§ C4-10. Action by County Legislature on proposed budget.**

\* \* \* \*

I. No operating budget shall be adopted which increases revenue from an existing County fee, which will require an increase in the fee charged to users of more than 2% over the fee charged to users in the prior fiscal year, unless the inclusion of such revenue is approved by a standalone resolution approved by an affirmative two-thirds vote of the Legislature.

\* \* \* \*

**Section 3. Form of Proposition.**

The proposition to be submitted at the next general election, pursuant to § 7 of this law, shall be in the following form:

**Resolution No. -2018: A Charter Law to Limit County Fee Increases**

“Resolution No. -2018, is a Charter Law that proposes to limit increases in the revenue received by the County from fee increases to 2%, unless a higher amount of revenue is approved by a two-thirds vote of the County Legislature.”

Shall Resolution No. -2018 be approved?”

**Section 4. Applicability.**

This law shall apply to operating budgets proposed and adopted on or after the effective date of this law.

**Section 5. 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 6. 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 7. Effective Date.**

This law shall not take effect until it has been approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW and has been filed in the Office of the Secretary of State.

**Section 8. Conflicting Referenda.**

In the event that there are other referenda on the ballot, pertaining to or addressing substantially the same issues as are contained in this law, then the provisions of the measure approved by the electorate receiving the greatest number of affirmative votes, shall prevail, and the alternative measure, or measures, as the case may be, shall be deemed null and void.

\_\_\_ Underlining denotes addition of new language.

DATED:

APPROVED BY:

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

Date: