

STRICKEN AS OF 11/15/2018

Intro. Res. No. 1412-2018
Introduced by Legislator Trotta

Laid on Table 5/15/2018

**RESOLUTION NO. -2018, ADOPTING LOCAL LAW
NO. -2018, A LOCAL LAW TO IMPROVE ALARM SYSTEM
PERMITTING LAW**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on May 15, 2018, a proposed local law entitled, "**A LOCAL LAW TO IMPROVE ALARM SYSTEM PERMITTING LAW**"; now, therefore be it

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

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

A LOCAL LAW TO IMPROVE ALARM SYSTEM PERMITTING LAW

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. 42-2015 established a requirement that homeowners and businesses in the Suffolk County Police District obtain a permit from the Police Department to operate their alarm systems.

This Legislature also finds that Local Law No. 42-2015, codified at Chapter 290, Article II of the SUFFOLK COUNTY CODE, sought to discourage and diminish the incidence of false alarms by establishing an escalating fee schedule for false alarms at homes and businesses.

This Legislature further finds that homes and businesses that fail to register their systems are subject to a penalty when their first false alarm occurs.

This Legislature finds that less than adequate notice was provided to the people of Suffolk County regarding the implementation of the alarm system permitting program and as a result, many Suffolk residents and business owners are still not aware of the County's alarm permitting requirements.

This Legislature further determines that the goals of the alarm permitting program are best achieved by emphasizing public education about the program and deemphasizing monetary penalties.

This Legislature finds that alarm system owners who have failed to obtain a permit for their system should be given the opportunity to avoid a monetary penalty when they are cited for their first false alarm by either registering or deactivating their alarm system.

Therefore, the purpose of this law is to allow an alarm system owner who has failed to obtain a permit for their system to avoid a monetary penalty for their first false alarm.

Section 2. Amendment.

Section 290-9 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 290-9. False alarm fees.

* * * *

- B. An alarm owner that has failed to procure a permit from the Department as required by § 290-8 above shall be subject to fees different from a permitted alarm owner for false alarm notifications issued by the Department occurring within 12 consecutive months calculated from the date of the first instance of a false alarm occurrence, in accordance with the following graduated schedule:

Residential Building

1 st false alarm	\$100; <u>this fee will be waived if the alarm owner registers their alarm or deactivates their alarm system within 30 days after receiving the false alarm notification.</u>
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Nonresidential Building

1 st false alarm	\$100; <u>this fee will be waived if the alarm owner registers their alarm or deactivates their alarm system within 30 days after receiving the false alarm notification.</u>
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Section 3. Applicability.

This law shall apply to false alarm notifications issued 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.

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: