

**STRICKEN AS OF 9/7/2017**

Intro. Res. No. 1195-2017  
Introduced by Legislator Trotta

Laid on Table 3/7/2017

**RESOLUTION NO. -2017, ADOPTING LOCAL LAW  
NO. -2017, A LOCAL LAW TO REPEAL LOCAL LAW NO.  
36-2016**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on March 7, 2017, a proposed local law entitled, "**A LOCAL LAW TO REPEAL LOCAL LAW NO. 36-2016**"; now, therefore be it

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

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

**A LOCAL LAW TO REPEAL LOCAL LAW NO. 36-2016**

**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. 36-2016 increased the Tax Map Verification Fee for mortgage documents by \$300.

This Legislature further finds that neither the County Clerk nor the Real Property Tax Service Agency requested this fee increase. Further, these offices have indicated that this fee increase was not justified by increased administrative costs in their agencies.

This Legislature also determines that it is well established that where a municipality imposes a fee the amount of the fee may not exceed the costs incurred by the municipality in administering the program or service. Accordingly, the continued imposition of the \$300 tax map verification fee for mortgage documents may expose the County to costly litigation, placing an additional burden on taxpayers.

Therefore, the purpose of this law is to repeal the \$300 fee increase previously authorized by Local Law No. 36-2016.

**Section 2. Repeal.**

Local Law No. 36-2016 is hereby repealed in its entirety.

**Section 3. Applicability.**

This law shall apply to actions 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, 2018.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date: