

STRICKEN AS OF 10/25/2017

Intro. Res. No. 1271-2017
Introduced by Legislators Trotta, Cilmi and Muratore

Laid on Table 4/25/2017

**RESOLUTION NO. -2017, ADOPTING LOCAL LAW
NO. -2017, A LOCAL LAW TO ELIMINATE CREMATION
APPROVAL FEE**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 25, 2017, a proposed local law entitled, "**A LOCAL LAW TO ELIMINATE CREMATION APPROVAL FEE**"; 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 ELIMINATE CREMATION APPROVAL FEE**

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 Executive recently proposed that the Legislature increase the Medical Examiner's "cremation approval fee" from \$60 to \$75.

This Legislature determines that during the hearings on this proposed fee increase, it was determined that Medical Examiners in the New York State do not typically charge a fee for approving the cremation of bodies.

This Legislature further finds that the relatives of recently deceased individuals should not be required to pay a fee to the County in order to cremate the body of their loved one.

Therefore, the purpose of this law is to eliminate the County's cremation approval fee.

Section 2. Amendments/Repeal.

Paragraph (D) of Section A32-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby repealed and Paragraph (E) of Section A32-6 shall be re-lettered as Paragraph (D).

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:

County Executive of Suffolk County

Date: