

Intro. Res. No. 1955-2019

Laid on Table 11/6/2019

Introduced by Presiding Officer Gregory and Legislators Sunderman, Muratore, Cilmi McCaffrey, Flotteron, Kennedy and Trotta

**RESOLUTION NO. 1233-2019, ADOPTING LOCAL LAW
NO. 5 -2020, A CHARTER LAW TO CLARIFY THE COUNTY'S
RESIDENCY REQUIREMENT**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 6, 2020 a proposed local law entitled, "**A CHARTER LAW TO CLARIFY THE COUNTY'S RESIDENCY REQUIREMENT**"; now, therefore be it

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

LOCAL LAW NO. 5 -2020, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO CLARIFY THE COUNTY'S RESIDENCY
REQUIREMENT**

**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 Article VI of the SUFFOLK COUNTY CHARTER requires employees and officers of the County to be residents of the County during their term of service.

This Legislature finds that there is presently no definition of County officer in Article VI of the Charter.

This Legislature determines that defining who qualifies as a County officer will bring greater clarity to the Charter and help individuals serving the County to better understand their responsibilities and duties.

Therefore, the purpose of this law is to amend Section C6-3 of the SUFFOLK COUNTY CHARTER to include a definition for County officer.

Section 2. Amendment.

Section C6-3 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**ARTICLE VI.
DEPARTMENT OF HUMAN RESOURCES, PERSONNEL AND CIVIL SERVICE**

* * * *

§ C6-3. Recruitment of personnel; training programs; residency requirements.

* * * *

B. Residency requirements.

(1) As used in this subdivision, the following terms shall have the meanings indicated:

(a) COUNTY OFFICER – any elected or appointed official or individual appointed to serve on a County board or commission, either paid or voluntary, which has the power to set binding policy on behalf of Suffolk County.

[(a)](b) COUNTY SERVICE — Service as an officer or employee for the County of Suffolk, or any agency thereof.

[(b)](c) EXEMPT CLASS — Shall have that definition afforded to it in § 41 of the New York Civil Service Law.

[(c)](d) NONCOMPETITIVE CLASS — Shall have that definition afforded to it in § 42 of the New York Civil Service Law.

[(d)](e) RESIDENCE — Domicile.

[(e)](f) RESIDENT — Domiciliary.

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Section 3. Applicability.

This law shall apply to any person entering or presently in County service 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)(26) 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 routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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 filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language.

___ Underlining denotes addition of new language.

DATED: December 17, 2019

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: January 2, 2020

After a public hearing duly held on January 2, 2020
Filed with the Secretary of State on January 14, 2020