

WITHDRAWN AS OF 9/27/2022

Intro. Res. No. 1275-2022
Introduced by Legislator Richberg

Laid on Table 3/29/2022

**RESOLUTION NO. -2022, ADOPTING LOCAL LAW
NO. -2022, A LOCAL LAW TO REQUIRE DEVELOPERS OF
AFFORDABLE HOUSING WITH COUNTY ASSISTANCE TO
IMPLEMENT A LANGUAGE ACCESS PLAN**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 29, 2022, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE DEVELOPERS OF AFFORDABLE HOUSING WITH COUNTY ASSISTANCE TO IMPLEMENT A LANGUAGE ACCESS PLAN**"; now, therefore be it

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

LOCAL LAW NO. -2022, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO REQUIRE DEVELOPERS OF AFFORDABLE
HOUSING WITH COUNTY ASSISTANCE TO IMPLEMENT A
LANGUAGE ACCESS PLAN**

**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 that the County of Suffolk is linguistically diverse, and that in 2018, 20% of its residents, aged 5 and older, spoke a language other than English at home and 10% had limited English proficiency.

This Legislature also finds and determines that the County of Suffolk has several programs wherein the county subsidizes the development of affordable housing.

This Legislature further finds and determines that language can be a substantial barrier for residents, including English Language Learners (ELL's), seeking affordable housing.

This Legislature finds that in 2018 the County of Suffolk adopted Local Law 16-2018 that required all County agencies that provide direct public services shall develop a language access plan language assistance for the public in seeking government services.

This Legislature determines that those affordable housing developments that receive County assistance should be required to develop a language access plan to promote equal access to affordable housing for all members of the public that are eligible for affordable housing.

Therefore, the purpose of this law is to require that any developer of any rental units to be built with the assistance of the County of Suffolk work with a third party or parties to implement a language access plan, subject to approval by the Community Development Director, to be located on the Suffolk County and/or Housing Assistance Agency website, in

order to ensure equal access to affordable housing for all members of the public that are eligible for affordable housing. Such a plan, at a minimum shall include:

1. website translation;
2. advertisement of housing opportunities;
3. housing application translation; and
4. providing of interpreter services.

Section 2. Amendments.

I. Section A36-4 of the Suffolk County Administrative Code is hereby amended as follows:

**ARTICLE XXXVI.
AFFORDABLE HOUSING**

* * * *

§ A36-4. [Prior Laws.] Language Access Plan.

A. The developer of any rental units to be built with the assistance of the County of Suffolk, including but not limited to financial assistance or assistance in land acquisitions, pursuant to § A36-2B of this article ("72-h transfer program") or § A36-2D of this article ("Workforce Housing Program") shall work with a third party or parties to implement a language access plan, subject to approval by the Community Development Director, to be located on the Suffolk County and/or Housing Assistance Agency website, that shall address the specific language needs of the area in which the project is located and which shall comply with the requirements of Section 143-3 of the Suffolk County Code.

B. Any language access plan shall address at a minimum:

1. website translation;
2. advertisement of housing opportunities;
3. housing application translation; and
4. providing interpreter services.

II. Section A36-5 of the Suffolk County Administrative Code is hereby amended as follows:

§ A36-[4]5. Prior Laws.

Any provisions contained in Resolution No. 508-1989 that are inconsistent with this article shall be construed as being superseded by this article for the purposes of implementing the provisions of this article.

Section 3. Applicability.

This law shall apply to any project that has not received final approval from the County of Suffolk prior to the effective date of this 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), (27) and (33) 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 in that the action constitutes 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 its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: