


Introduced by Presiding Officer Gonsalves

LOCAL LAW NO. 9 -2016

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE AND THE MISCELLANEOUS LAWS OF NASSAU COUNTY IN REGARDS TO FEES PAYABLE TO COUNTY AGENCIES AND DEPARTMENTS

APPROVED AS TO FORM  
  
Majority Counsel

Passed by the Nassau County Legislature on November 21, 2016  
Voting: ayes: 12 nays: 7 abstained:

Became a law on November 23, 2016 with the approval of the County Executive.

WHEREAS, the County of Nassau has been making a concerted effort to simplify the payment of administrative fees to different County departments and agencies; and

WHEREAS, currently there are various administrative fees contained in the Nassau County Administrative Code and the Miscellaneous Laws of Nassau County; and

WHEREAS, the Nassau County Legislature has determined that it would be simpler and more accessible to the public if most, if not all, of these fees be put into a single ordinance; and

WHEREAS, in furtherance of this simplification methodology of allowing fees to be set by ordinance, additional fees are being imposed herein; now, therefore

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Section 21-11.5(2) of the Nassau County Administrative Code is amended to read as follows:

2. No license shall be assignable or transferrable except as hereinafter provided. A license to conduct a home improvement business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 2. Section 21-11.5(4) of the Nassau County Administrative Code is amended to read as follows:

4. Any license except a temporary license, which has not been suspended or revoked, may, upon the payment of the renewal fee prescribed by the title, be renewed for an additional period of two years from its expiration, upon filing of an application for such renewal on a form to be prescribed by the Commissioner. Failure to make application for such renewal within fifteen (15) days shall subject the licensee to an additional fee to be set by ordinance which shall be paid prior to the issuance of the renewal.

§ 3. Section 21-11.6(1) of the Nassau County Administrative Code is amended to read as follows:

1. The fee for a license to conduct a home improvement business and for each renewal thereof the fee shall be set by ordinance.

§ 4. Section 21-11.6(2) of the Nassau County Administrative Code is amended to read as follows:

2. The fee for issuing each supplementary or for a duplicate license for one lost, destroyed or mutilated shall be set by ordinance.

§ 5. The first paragraph of Section 21-12.3 of the Nassau County Administrative Code is amended to read as follows:

§ 21-12.3 **License fee.** Every license and renewal issued under this title shall take effect and expire on dates determined by the Commissioner and shall be valid for a period of two years; provided, however, where the expiration date of the registration of any license falls on a Saturday, Sunday or county holiday, such license shall be valid until midnight of the next day on which county offices shall be open for business. The fee for a locksmith's license shall be set by ordinance.

§ 6. Section 21-18.3.1(a) of the Nassau County Administrative Code is amended to read as follows:

- (a) Every person, store, firm, partnership, corporation, or association which uses a computer-assisted checkout system and which would otherwise be required to item price as provided in section 21-18.2 of this Title may make an application in writing to the Commissioner for a waiver of said item pricing requirement. A separate application shall be required for each store. Each application shall be subject to a non-refundable waiver fee which shall be set by ordinance.

§ 7. Section 21-18.3.1(d) of the Nassau County Administrative Code is amended to read as follows:

- (d) A waiver from item pricing shall be valid for a period of one year from the date of issuance. Stores must reapply annually for renewal of waiver at the rates established by ordinance. The waiver fee and two inspections shall be required for each annual renewal application, as required for an original waiver application.

§ 8. Section 21-18.3.1(e) of the Nassau County Administrative Code is amended to read as follows:

- (e) In the event that total violations in excess of two percent are discovered in the inspections provided for herein, the Commissioner shall not grant a waiver to the applicant. Such a store may reapply for a waiver and pay an additional waiver fee to be set by ordinance to the Commissioner within five business days after being notified of the failure. Stores which do not reapply must be in compliance with all the requirements of this code within thirty days from the date of failure.

§ 9. Section 21-22.4(d)(ii) of the Nassau County Administrative Code is amended to read as follows:

- (ii) Fees to be set by ordinance shall be paid to the Commissioner, or the Commissioner's agent, upon the registration or the renewal of a registration of an

automated teller machine by the operator of any automated teller machine in Nassau County in accordance with the provisions of this title.

§ 10. Section 21-24.7 of Title D-14 in the Nassau County Administrative Code is amended to read as follows:

The fee for a sign hanger license shall be set by ordinance and the license shall be valid for a period of two years from the date of issuance. The renewal fee for such license shall be set by ordinance. If application for renewal is not made within thirty calendar days prior to the expiration date of the license, the applicant shall be required to pay an additional fee which shall be set by ordinance.

§ 11. Section 21-25.5(2) of the Nassau County Administrative Code is amended to read as follows:

2. No license shall be assignable or transferable except as hereinafter provided. A license to conduct a home service business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty-five (25) percent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period of any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application of such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or transferee. All such endorsements shall be made upon a payment fee which shall be set by ordinance.

§ 12. Section 21-25.5(4) of the Nassau County Administrative Code is amended to read as follows:

4. Any license, which has not been suspended or revoked, may, upon the payment of the renewal fee prescribed by this title, be renewed for an additional period of two (2) years from its expiration, upon filing of an application for such renewal on a form to be prescribed by the Commissioner. Failure to make an application for such renewal within fifteen (15) days, shall subject the licensee to an additional fee to be set by ordinance which shall be paid prior to the issuance of the renewal.

§ 13. Section 21-25.6(1) of the Nassau County Administrative Code is amended to read

as follows:

1. For a license to conduct a home service business there shall be a non-refundable application fee and for each renewal thereof the fee shall be set by ordinance.

§ 14. Section 21-25.6(2) of the Nassau County Administrative Code is amended to read

as follows:

2. The fee for issuing each supplementary license or for a duplicate license for one lost, destroyed or mutilated shall be set by ordinance.

§ 15. Sections 21-26.4(2) of the Nassau County Administrative Code is amended to

read as follows:

2. Every application for a storage warehouse operator's license shall be accompanied by a non-refundable application fee to be set by ordinance in the form of a certified check or postal money order payable to the County of Nassau for a two-year license.

§ 16. Section 21-26.4(5) of the Nassau County Administrative Code is amended to read

as follows:

3. Every license issued hereunder shall be valid for the operation of one storage warehouse. Licensees may request additional licenses to operate additional storage warehouses from the Commissioner for a fee to be set by ordinance.

§ 17. Section 21-26.6 of the Nassau County Administrative Code is amended to read as

follows:

Every license shall expire two years after its issuance. Every license may be renewed upon payment of the required renewal fee which shall be set by ordinance and filing a renewal application with the Commissioner no earlier than 30 days, and no later than 15 days before the license is due to expire, certifying that no changes have occurred with respect to any of the facts or information required or supplied on the original application, or, if there have been any changes, the applicant shall furnish the facts and information relating to such changes and shall comply with the requirements of this law.

§ 18. Section 21-26.8 of the Nassau County Administrative Code, is amended to read as

follows:

No license shall be assignable or transferrable except as hereinafter provided. A license to conduct business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 19. Section 21-27.4(2) of the Nassau County Administrative Code is amended to read as follows:

2. Every application for a secondhand precious metal or gem dealer's license shall be accompanied by a non-refundable application fee which shall be set by ordinance in the form of a certified check or postal money order payable to the County of Nassau for a two-year license.

§ 20. Section 21-27.4(6) of the Nassau County Administrative Code is amended to read as follows:

6. Every license issued hereunder shall be valid for the operation of one establishment. Licensees may request additional licenses to operate additional establishments from the Commissioner for a fee per establishment. The amount of the fee shall be set by ordinance.

§ 21. Section 21-27.6 of the Nassau County Administrative Code, is amended to read as follows:

Every license shall expire two years after its issuance. Every license may be renewed upon payment of the required renewal fee which shall be set by ordinance and filing a renewal application with the Commissioner no earlier than 30 days, and no later than 15 days before the license is due to expire, certifying that no changes have occurred with respect to any of the facts or information required or supplied on the original application, or, if there have been any changes, the applicant shall furnish the facts and information relating to such changes and shall comply with the requirements of this law.

§22. Section 21-27.8 of the Nassau County Administrative Code, is amended to read as

follows:

No license shall be assignable or transferrable except as hereinafter provided. A license to conduct business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 23. Section 21-28.5(2) of the Nassau County Administrative Code is amended to read

as follows:

2. No license shall be assignable or transferrable except as hereinafter provided. A license to conduct business as an electronic or home appliance service dealer issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 24. Sections 21-28.5(4) of the Nassau County Administrative Code is amended to read

as follows:

4. Any license, which has not been suspended or revoked, may, upon the payment of the renewal fee prescribed by this title, be renewed for an additional period of two (2) years from its expiration, upon filing of an application for such renewal on a form to be prescribed by the Commissioner. Failure to make an application for such renewal within

fifteen (15) days, shall subject the licensee to an additional fee which shall be set by ordinance which shall be paid prior to the issuance of the renewal.

§ 25. Section 21-28.6(1) of the Nassau County Administrative Code is amended to read as follows:

1. The fees for a license to conduct business as an electronic or home appliance service dealer and for each renewal thereof shall be set by ordinance.

§ 26. Section 21-28.6(2) of the Nassau County Administrative Code is amended to read as follows:

2. The fee for issuing each supplementary license or for a duplicate license for one lost, destroyed or mutilated shall be set by ordinance.

§ 27. Section 21-29.4(2) of the Nassau County Administrative Code is amended to read as follows:

2. Such application for a scrap metal, end-of-life vehicle and catalytic converter purchaser's license shall be accompanied by a non-refundable application fee which shall be set by ordinance for a two year license.

§ 28. Section 21-29.6 of the Nassau County Administrative Code is amended to read as follows:

Every license shall expire two years after its issuance. Every license may be renewed upon payment of the required renewal fee which shall be set by ordinance and filing a renewal application with the Commissioner no earlier than 30 days, and no later than 15 days before the license is due to expire, certifying that no changes have occurred with respect to any of the facts or information required or supplied on the original application, or, if there have been any changes, the applicant shall furnish the facts and information relating to such changes and shall comply with the requirements of this law.

§ 29. Section 21-29.8 of the Nassau County Administrative Code is amended to read as follows:

No license shall be assignable or transferrable except as hereinafter provided. A license to conduct business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A



license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 30. Section 21-30.5(2) of the Nassau County Administrative Code is amended to read as follows:

2. Every application for a laundry operator's license shall be accompanied by a non-refundable application fee which shall be set by ordinance in the form of a certified check or postal money order payable to the County of Nassau for a two-year license.

§ 31. Section 21-30.5(5) of the Nassau County Administrative Code is amended to read as follows:

5. Every license issued hereunder shall be valid for the operation of one laundry. Licensees may request additional licenses to operate additional locations from the Commissioner for a fee to be set by ordinance.

§ 32. Section 21-30.7 of the Nassau County Administrative Code, is amended to read as follows:

Every license shall expire two years after its issuance. Every license may be renewed upon payment of the required renewal fee which shall be set by ordinance and filing renewal application with the Commissioner no earlier than 30 days, and no later than 15 days before the license is due to expire, certifying that no changes have occurred with respect to any of the facts or information required or supplied on the original application, or, if there have been any changes, the applicant shall furnish the facts and information relating to such changes and shall comply with the requirements of this law.

§ 33. Section 21-30.9 of the Nassau County Administrative Code, is amended to read as follows:

No license shall be assignable or transferrable except as hereinafter provided. A license to conduct business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than

twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 34. Section 21-31.3(2) of the Nassau County Administrative Code is amended to read as follows:

2. Every application for a remediation provider license shall be accompanied by a non-refundable application fee which shall be set by ordinance in the form of a certified check or postal money order payable to the County of Nassau for a two-year license.

§ 35. Section 21-31.3(5) of the Nassau County Administrative Code is amended to read as follows:

5. Every license issued hereunder shall be valid for the operation of one establishment. Licensees may request additional licenses to operate additional establishments from the Commissioner for a fee which shall be set by ordinance.

§ 36. Section 21-31.4(2) of the Nassau County Administrative Code is amended to read as follows:

2. Every application for an environmental hazard remediation technician license shall be accompanied by a non-refundable application fee which shall be set by ordinance in the form of a certified check or postal money order payable to the County of Nassau for a two-year license.

§ 37. Section 21-31.6 of the Nassau County Administrative Code, is amended to read as follows:

Every license shall expire two years after its issuance. Every license may be renewed upon payment of the required renewal for an environmental hazard remediation provider license or for an environmental hazard technician license and filing a renewal application with the Commissioner no earlier than 30 days, and not later than 15 days before the license is due to expire, certifying that no changes have occurred with respect to any of the facts or information required or supplied on the original application, or, if there

have been any changes, the applicant shall furnish the facts and information relating to such changes and shall comply with the requirements of this law. The renewal fee for the environmental hazard remediation provider license and the environmental hazard technician license shall be set by ordinance.

§ 38. Section 21-31.8 of the Nassau County Administrative Code is amended to read as follows:

No license shall be assignable or transferrable except as hereinafter provided. A license to conduct business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon payment of a fee to be set by ordinance.

§ 39. Section 2(a) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

Any individual currently serving, or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law, shall pay the Probation Department an administrative fee to be set by ordinance for probation services from the time the probation period is commenced until such period is terminated.

§ 40. Section 2(b) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

Other than individuals covered by subdivision A., an individual currently serving, or who shall be sentenced to a period of probation shall pay the Probation Department an administrative fee to be set by ordinance for probation services from the time the probation period is commenced until said period is terminated.

§ 41. Section 2(c) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

An individual before the Court for sentencing, for whom a presentence investigation is either mandatory, or ordered by the court pursuant to section 390.20 of the Criminal Procedure Law, shall pay the Probation Department a fee to be set by ordinance.

(1) In addition to the pre-sentence investigation fees set forth above, an additional administrative fee to be set by ordinance will be assessed for an individual for whom a presentence investigation is conducted by the Sex Offender/Domestic Violence Unit of the Nassau County Probation Department.

§ 42. Section 2(d) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

Any individual currently serving, or who shall be sentenced to a period of probation and who is required to submit to electronic monitoring by the Court pursuant to Section 65.10(4) of the Penal Law, shall pay the Probation Department a fee to be set by ordinance for such services from the time the probation period is commenced until such time as either the requirement of said monitoring is terminated by the Court, the Probation Department or the period of probation is terminated.

§ 43. Section 2(e) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

An individual currently serving, or who shall be sentenced to a period of probation, required to submit to drug testing by the Court or the Probation Department, shall pay the Probation Department a fee to be set by ordinance from the time the probation period is commenced until such time as the period of probation is terminated.

§ 44. Section 2(f) of Title 20 of the Miscellaneous Laws of Nassau county is amended to read as follows:

A fee to be set by ordinance shall be paid to the Probation Department, by any individual whose attendance at a victim impact panel is either (1) mandated by the Court as a requirement of conditional discharge; or (2) required by the Court or the Probation Department, to attend, the victim impact panel, during said individual's sentenced term or probation.

§ 45. Section 2(g) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

An individual before the court on an application for a certificate of relief, for whom an investigation is ordered in the court shall pay the Probation department a fee which shall be set by ordinance.

§ 46. Section 2(h) of Title 20 of the Miscellaneous Laws of Nassau County is amended to read as follows:

An individual who is sentenced to the sanction of community service, to be placed by the Probation Department, shall pay a community service placement fee which shall be set by ordinance to the Probation Department at the time of the placement interview with the Probation Department. If the individual fails or refuses to pay the fee, the Probation Department may return the case to court for appropriate action.

§ 47. Section 8-32.0 of the Nassau County Administrative Code is amended to read as follows:

A search fee to be set by ordinance per accident report shall be charged, with no additional fee for a photocopy. An additional fee to be set by ordinance shall be charged for a certified copy of any accident report. A fee to be set by ordinance per photograph or contact sheet shall be charged. The fees for investigative reports shall be the same as those for accident reports.

§ 48. Section 8-60.4(A) of the Nassau County Administrative Code is amended to read as follows:

All bus drivers, aides and driver assistants/matrons or prospective bus drivers, aides and driver assistants/matrons who are employed to transport persons in Nassau County shall be fingerprinted by the Nassau County Police Department. A fee will be paid by the applicant to the Police Commissioner which shall be set by ordinance.

§ 49. Section 8-110.2(b) of the Nassau County Administrative Code is amended to read as follows:

In addition to the procedure stated in paragraph (a), an owner or other person entitled to possession of a vessel or crew racing shell impounded, stored or safeguarded pursuant to this title shall pay to the Nassau County Treasurer a fee which shall be set by ordinance for administrative costs, as well a fee for towing and storage charges in accordance with a schedule which shall be set by ordinance. A designee of the Nassau County Treasurer shall be authorized to collect any and all monies for such charges as may be imposed.

§ 50. A section 8-33.0 is hereby added to the Nassau County Administrative Code which shall read as follows:

§ 8-33.0 **Public Safety Fee.** There shall be a Public Safety Fee for the purpose of promoting and protecting the safety and well-being of the residents and visitors to the County, including but not limited to traffic safety, policing security and anti-terrorism activities and by deterring illegal and reckless driving. The fee shall be collected in like manner as administration fees collected by the Traffic and Parking Violations Agency, but shall not be collected from tickets issued for infractions of parking laws, ordinances, rules, and regulations. The amount of said fee shall be set by ordinance.

§ 51. A section 12-1.1 is hereby added to the Nassau County Administrative Code which shall read as follows:

§ 12-1.1 **Transportation Impact Fee.** There shall be a fee to offset the cumulative impact of subdivisions and other land development upon the County's transportation system. The fee shall be based upon the number of vehicles generated in the highest two way peak hour as determined utilizing the ITE Trip General Manual or any other industry approved and accepted source. This fee shall be imposed in relation to departmental reviews and approval pursuant to General Municipal Law § 239-f and other similar laws. The fee shall be set by ordinance. The Commissioner may waive the fee, or any part thereof, should other necessary improvements, as determined by the Commissioner, be provided.

§ 52. A section 21-10.3 is hereby added to the Nassau County Administrative Code:

§ 21-10.3. Any person or company that fails to renew a license issued by the Commissioner of Consumer Affairs or his or her designee or employee within fifteen days after the expiration of the license shall be subject to a fee, to be set by ordinance, in

addition to the renewal fee, which shall be paid prior to the issuance of the renewed license.

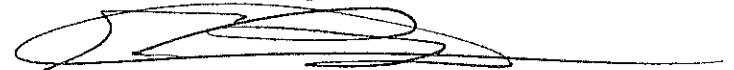
§ 53. The numbering of the titles and sections herein may be altered by the County Attorney, or any other official editor of the Administrative Code, to ensure numerical consistency with the rest of the Administrative Code without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if this local law is passed by the affirmative vote of a majority of said Legislature.

§ 54. 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.

§ 55. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this ordinance is a "Type II" Action within the meaning of Section 6175(c)(20) and (31) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 56. This local law shall take effect January 2, 2017.

**APPROVED**



County Executive

DATE November 23, 2016